

and would prefer to speak to-morrow. That being the case, I move that the Senate now take a recess until to-morrow at 2 o'clock.

Mr. CLAPP. Will not the Senator make the hour 12, so as to be sure to get through to-morrow?

Mr. McCUMBER. There are many committees that meet in the forenoon, and they run on until after 1 o'clock. I think we will accomplish the same end if we meet at 2 o'clock.

Mr. CLARK of Wyoming. May I suggest to the Senator that he make the time a little before 2?

Mr. McCUMBER. Very well; I will say 1 o'clock and 45 minutes.

The PRESIDING OFFICER. The Senator from North Dakota moves that the Senate take a recess until 1.45 p. m. to-morrow.

The motion was agreed to, and (at 4 o'clock and 20 minutes p. m. Thursday) the Senate took a recess until to-morrow, Friday, at 1 o'clock and 45 minutes p. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, March 28, 1912.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty God, our heavenly Father, who fillest the heavens with glory and the earth with goodness, humbly we bow in Thy presence and acknowledge our indebtedness to Thee for all things, temporal and spiritual. Enrich our minds with wisdom and knowledge from on high and fill our hearts with grace divine, that with all diligence and perseverance we may discharge the obligations resting upon us, private and public. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

NATIONAL CONSERVATION EXPOSITION, KNOXVILLE, TENN.

Mr. AUSTIN. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. AUSTIN. Mr. Speaker, I wish to ask unanimous consent to publish in the RECORD a bill which I introduced, H. R. 22338, entitled "An act to provide for participation by the Government of the United States in the National Conservation Exposition to be held at Knoxville, Tenn., in the fall of 1913," and a statement in reference to said exposition.

Mr. SULZER. I have no objection to that.

The SPEAKER. The gentleman from Tennessee [Mr. AUSTIN] asks unanimous consent to print, in the RECORD, House bill 22338, a bill touching the conservation exposition to be held at Knoxville, Tenn., in the fall of 1913, together with a statement concerning the same. Is there objection?

There was no objection.

The bill referred to is as follows:

Be it enacted, etc., That the Government of the United States participate in the National Conservation Exposition, to be held at Knoxville, Tenn., during the fall of 1913. That there shall be exhibited at said exposition from the executive departments of the United States such articles and materials as will illustrate the administrative functions of the Government and their educational value in connection with the development and wise use of the natural resources of the United States, especially the advancement of scientific agriculture and the increase of productivity of the soil through improved cultivation and crop selection and the prevention of avoidable wastes; the reclamation of wet and dry lands by drainage and irrigation, respectively; the more economical development and utilization of mineral wealth; the judicious use of and prevention of needless destruction in woodlands for maintaining timber supply and protecting headwaters of streams; the use and improvement of inland waterways; the preservation of fish and game; the preservation and protection of life in connection with industrial operations; and the economic investigations and operations of the Government with reference to mines and mining, geology, topographic and other surveys, public roads, experiment stations, rural life improvement, and public health and sanitation. That these subjects shall be presented in exhibits and in illustrated lectures by representatives of the Government. To secure a complete and harmonious arrangement of such Government exhibit a United States Government board of managers is hereby authorized to be appointed to be charged with the selection, purchase, preparation, transportation, arrangement, safe-keeping, exhibition, and return of such articles and materials as the heads of the several departments, respectively, decide shall be embraced in the Government exhibit herein authorized. The President of the United States may also designate additional articles of peculiar interest for exhibition in connection with the said Government exhibit. Said Government board of managers shall be composed of three persons now in the employ of the Government and shall be appointed by the President, one of whom shall be designated by the President as chairman of the said board and one as secretary and disbursing officer. The members of said Government board, with other officers and employees of the Government who may be detailed to assist them, including officers of the Army and Navy, shall receive no compensation in addition to their regular salaries, but they shall be allowed their actual and necessary traveling expenses, together with a per diem in lieu of subsistence, to be fixed by the Secretary of the Treasury, while necessarily absent from their homes engaged upon the business of the board.

Officers of the Army and Navy shall receive said allowance in lieu of the subsistence and mileage now allowed by law; and the Secretary of War and the Secretary of the Navy may, in their discretion, detail retired Army or Navy officers for such duty. Any provision of law which may prohibit the detail of persons in the employ of the United States to other service than that which they customarily perform shall not apply to persons detailed for duty in connection with said National Conservation Exposition. Employees of the board not otherwise employed by the Government shall be entitled to such compensation as the board may determine, and such employees may be selected and appointed by said board. The disbursing officer shall give bond in such sum as the Secretary of the Treasury may determine for the faithful performance of his duties, said bond to be approved by said Secretary. The Secretary of the Treasury shall advance to said officer from time to time, under such regulations as he may prescribe, a sum of money from the appropriation for the Government exhibit herein authorized, not exceeding at any one time three-fourths of the penalty of his bond, to enable him to pay the expenses of said exhibit as authorized by the United States Government board herein created. The Secretary of the Treasury is hereby authorized and directed to place on exhibition, in connection with the exhibit of his department, upon such grounds as shall be allotted for this purpose, one of the life-saving stations authorized to be constructed on the Atlantic coast of the United States by existing law, and to cause the same to be fully equipped with all apparatus, furniture, and appliances now in use in life-saving stations in the United States: *Provided*, That the cost of said exhibit herein authorized, including the selection, purchase, preparation, transportation, arrangement, safe-keeping, exhibition, and return of the articles and materials so exhibited, and the expenses and per diems of the officials and employees of the Government connected with the exhibit or assigned to deliver lectures, shall not exceed the sum of \$200,000, which sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

SEC. 2. That in aid of the said National Conservation Exposition the sum of \$200,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, which sum shall be paid to the National Conservation Exposition Co. upon satisfactory evidence being furnished the Secretary of the Treasury that the said company has raised a like sum on account of said exposition, in addition to any amount secured prior to February 1, 1912, and exclusive of all appropriations from State legislatures. Said \$200,000 shall be paid by the Secretary of the Treasury upon vouchers and satisfactory evidence that it has been expended for the purposes of the exposition other than salaries.

SEC. 3. That all articles that shall be imported from foreign countries for the sole purpose of exhibition at the National Conservation Exposition, to be held at Knoxville, Tenn., in the year 1913, upon which there shall be a tariff or customs duty shall be admitted free of the payment of duty, customs fees, or charges, under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exposition to sell for delivery at the close thereof any goods or property imported for and actually on exhibition in the exposition buildings or on the grounds, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury may prescribe: *Provided*, That all such articles when sold or withdrawn for consumption or use in the United States shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling and necessary exposure the duty, if paid, shall be assessed according to the appraised value at the time of withdrawal for consumption or use, and the penalties prescribed by law shall be enforced against any person guilty of any illegal sale, use, or withdrawal.

SEC. 4. That medals with appropriate devices, emblems, and inscriptions commemorative of said National Conservation Exposition, and of the awards to be made to the exhibitors thereat, shall be prepared for the National Conservation Exposition Co. by the Secretary of the Treasury at some mint of the United States, subject to the provisions of the fifty-second section of the coinage act of 1893, upon the payment by the National Conservation Exposition of a sum equal to the cost thereof; and authority may be given by the Secretary of the Treasury to the holder of a medal properly awarded to him to have duplicates thereof made at any of the mints of the United States from gold, silver, or bronze, upon the payment by him for the same of a sum equal to the cost thereof.

SEC. 5. That the United States shall not be liable on account of said exposition for any expenses incident to or growing out of the same, except for the purpose of paying the expense incident to the selection, preparation, purchase, installation, transportation, care, custody, and safe return of the exhibits made by the Government, and for the employment of proper persons as officers and assistants by the Government board created by this act, and for other expenses to be approved by the chairman of the Government board, or, in the event of his absence or disability, by such officer as the board may designate, and the Secretary of the Treasury, upon itemized accounts and vouchers: *Provided*, That no liability against the Government shall be incurred and no expenditures of money appropriated by this act shall be made until provision shall be made by the National Conservation Exposition Co. to the satisfaction of the Government board of managers herein established for a suitable building for the Government exhibits and lectures herein authorized.

SEC. 6. That the United States shall not in any manner or under any circumstances be liable for any of the acts, doings, or representations of said National Conservation Exposition Co. (a corporation), its officers, agents, servants, or employees, or any of them, or for service, salaries, labor, or wages of said officers, agents, servants, or employees, or any of them, or for any subscriptions to the capital stock, or for any stock certificates, bonds, mortgages, or obligations of any kind issued by said corporation, or for any debts, liabilities, or expenses of any kind or nature whatever attending such exposition corporation or accruing by reason of the same.

SEC. 7. That nothing in this act shall be construed so as to create any liability upon the part of the United States, directly or indirectly, for any debt or obligation incurred or for any claim for aid or pecuniary assistance from Congress or the Treasury of the United States in support or liquidation of any debts or obligations created by said United States Government board in excess of appropriations herein made.

SEC. 8. That the United States shall not in any manner or under any circumstances make any loan, directly or indirectly, to the National Conservation Exposition Co., or for the benefit of said exposition, or for any of the purposes thereof, and shall not appropriate for any purpose whatsoever in connection with said exposition any sum of money other than that provided in this act.

THE NATIONAL CONSERVATION EXPOSITION AT KNOXVILLE, TENN.

Mr. AUSTIN. The National Conservation Exposition, awarded to Knoxville, Tenn., by the national advisory board of the exposition at Washington, will be held in that city during the fall of 1913, from September 1 to October 31. The exposition company has been organized and drafts have been made for a charter with a capital stock of \$1,000,000. New capital has been subscribed and a number of new exposition buildings, to range in cost from \$25,000 to \$250,000, are to be erected. In addition, the company takes over the present plant and all property of the Appalachian Exposition Co., valued at \$1,000,000, and which could not be duplicated for that amount of money.

The officers of the National Conservation Exposition Co. are as follows: President, William S. Shields, president of the City National Bank; first vice president, J. Allen Smith, president of the Knoxville City Mills Co.; second vice president, Don Carlos Ellis, in charge of public education, United States Forest Service; third vice president, George W. Callahan, president of the Callahan Construction Co.; fourth vice president, Hu. M. Johnston, president of the Union Bank; treasurer, S. V. Carter, cashier East Tennessee National Bank; and general manager, W. M. Goodman, secretary Commercial Club.

The advisory board of the National Conservation Exposition is constituted as follows: Gifford Pinchot, president of the National Conservation Association, chairman; D. C. Ellis, in charge of public education, United States Forest Service, secretary; Senator DUNCAN U. FLETCHER, of Florida, president of the Southern Commercial Congress; P. P. Claxton, United States Commissioner of Education; W. J. McGee, soil-water expert, United States Department of Agriculture; Dr. Harvey W. Wiley, president of the United States pharmacopoeial convention; Logan W. Page, Director United States Office of Public Roads; Bradford Knapp, in charge of farmers' cooperative demonstration work, United States Department of Agriculture; J. A. Holmes, Director Bureau of Mines; Representative JOSEPH E. RANDELL, of Louisiana, president of the National Rivers and Harbors Congress; and Senator LUKE LEE, of Tennessee.

The exposition, national in scope, will be helpful to those who are promoting irrigation and dry farming in the West, as well as to those who are interested in the reclamation of swamp lands in the far South. It will be recognized as a great agency for the uplift and development of the whole country, and consequently as an aid to the special work of each city and section of the United States. It will promote the conservation of forests, soils, minerals, waterways, fish and game, and human efficiency, and the rapid and permanent development of all sources of wealth.

Knoxville, Tenn., the center of a region which possesses a greater variety of mineral, timber, and agricultural wealth than any area of like extent in the United States, is a most excellent location for the exposition.

The beautiful park and buildings of the Appalachian exposition have been turned over to the National Conservation Exposition, and these will form the nucleus around which the larger affair will be built.

A Southern States building is designed as a novel feature, the idea being to show the resources and manufacturing industries of 16 Southern States under one roof.

Plans have been made for the erection of an agricultural and land building, in which there will be a relief map of the Southeast, built up of soils of the various States, showing mountains, timber regions, stream with actual running water, the railroads, Atlantic and Gulf ports, and the cities.

THE GROWTH OF THE EXPOSITION IDEA.

During the later half of the nineteenth century America's industrial advancement outran all precedent or parallel. The abounding natural resources in timber, coal, iron, and other materials were made known by State surveys and other means, and were exploited lavishly; manufacturing, railway building, and other industries were pushed energetically; foundations were laid for vast fortunes; millionaires and multimillionaires came up, and through growing trade and larger wages than were paid in other countries money abounded, and per capita wealth rose above all earlier or contemporary standards. During the later half of this era of expansion the exposition idea—borrowed from Europe—took root, and from the Centennial Exposition of 1876 to the Universal Exposition of 1904 flourished exuberantly. The great series of national and international expositions, beginning in Philadelphia and ending in St. Louis, were designed to display and did display effectively the greatness of the natural wealth of the country and the marvelous industrial growth brought about through utilization of this natural wealth. Taken together, the expositions rang out an anthem of national inheritance and national achieve-

ment, sounded a pean of national glory, such as the world had not heard before. Each was a record of conquest over nature wrought by human genius, each a mile mark of further progress, each a summation of material enrichment of its date.

A NEW EXPOSITION IDEA.

During the first decade of the twentieth century a new realization of the value and importance of the natural resources took shape. Through scientific surveys by States and the Federal Government, designed primarily to make the resources known and guide their exploitation, the quantities of standing timber, of iron ore and coal in the ground, and of other natural materials were measured; and the quantities were found not unlimited, according to the common boast in the heyday of early exploitation, but of such amounts as to meet current demands for only a certain number of years, easily reckoned and understood in terms of the written history of mankind—for example, at the current increasing rate of use computed in 1908 the standing timber of the country would last a generation, the high-grade iron ore a century, and the good coal from one to three centuries, according to the varying allowances made by different computers. In short, it became clear that the standard resources on which our great and growing industries rest are foredoomed to exhaustion within a small fraction of the period already covered by the Christian era, unless means be adopted to prevent waste and otherwise conserve the natural stores for the benefit of posterity. As understanding of the limitation of the natural resources spread, moral sense was awakened; the feeling of the natural right of the rising generation (and of generations still to come) to a fair share of the resources took form; and the natural wealth of this magnificently endowed country came to be viewed as involving moral no less than material considerations. Numberless manifestations of the new view have appeared—in legal enactments, the creation of State commissions, the improvement of educational curricula, and so forth—but no more striking indication of the modern view has appeared than the idea of national expositions designed to illustrate the conservation and development of the natural resources with a view to the permanent enrichment of the country and people. The change thus wrought in the exposition idea is fundamental; the old exposition looked backward, the new looks forward; the old exposition was solely material, the new is essentially moral; the old was a proud boast of achievement, the new a signpost to progress and an assurance of perpetuity. The expositions of the past were as songs of achievement at the end of a good day's work, the new may well be as living and tangible promises of a still more glorious to-morrow foreordained by the wise action of to-day.

THE KNOXVILLE EXPOSITION.

The National Conservation Exposition at Knoxville (1913) is planned in accordance with exposition history, especially to illustrate the modern idea of forecasting prospective development, especially throughout the Southern States. In a broad way the design is to illustrate the ways in which the natural wealth in forests, lands, waters, minerals, and human efficiency are now used and may be still more effectively utilized in promoting the prosperity and assuring the perpetuity of the American people.

THE RESOURCES IN LANDS.

Recognizing the soil made fruitful by the natural water supply as that resource on which, more than all others, the generations of men must depend for materials for food and clothing, it is planned to devote large space to the exhibits of the soil and its products, of the best methods of maintaining and increasing production, and of progress in improving the grade and yield of plant and animal products.

The soils of the country in general, and of the South in particular, will be exhibited (1) by samples so arranged as to illustrate types and capabilities; (2) by maps, diagrams, and printed matter indicating distribution and uses; (3) by methods of tillage best adapted to particular soil types and climates, shown on small scale by object lessons and by farm machinery, as well as photographs and other illustrations; (4) by examples of drainage, irrigating, and other modes of treatment designed to improve the soil and enhance its productivity; (5) by devices for fertilizing through use of natural by-products and through chemicals, and so forth; and (6) by examples and descriptive literature of crop rotation and other constructive methods. A special exhibit is also contemplated to illustrate the impoverishment of soils through destructive erosion, leaching, and so forth, under negligent farming, with the most improved methods and devices for preventing these evils by (a) improved tillage, (b) terracing, (c) timber planting, and so forth.

The plant crops will be exhibited with special reference to new varieties, both improved and introduced, (1) so far as

practicable, by specimens in actual cultivation and growth; (2) by typical and exceptionally fine products; (3) by methods of cultivating, harvesting, and treating, illustrated by means of photographs and otherwise; and (4) by displaying methods of reduction of manufacture into the finished form for consumption for food, clothing, or other purposes.

An important object of the display will be to illustrate the availability of unknown or little-used crop plants for increasing the income yield of farms beyond that practicable with such staples as corn and cotton; another object will be to illustrate every stage in the process of growth and manufacture of typical crops in such manner that growers, manufacturers, and consumers may better adjust and coordinate their respective functions and short-cut processes not needlessly long or devious. Special displays will also be made of successful methods of multiplying production per acre, as has recently been illustrated by corn clubs, tomato clubs, and so forth.

Animal crops will be exhibited (1) by living groups of domestic animals, poultry, and so forth, illustrating the most approved methods of care, feeding, and sheltering; (2) by typical and fine specimens of both ordinary and introduced stock; and (3) by illustrating processes of handling and manufacturing animal products and converting them into the finished commodities of food and clothing. Special attention will be given to illustrating (a) the best balance between plant and animal production to yield the maximum income and preserve the fertility of the soil; (b) the advantage of increasing food production through dairying, poultry raising, and so forth; and in general (c) the expediency of rendering each farm a sort of vital laboratory in which the products are raised to the highest practicable value before marketing—this with the double object of inculcating thrift and increasing the opportunity and demand for the highest intelligence on the farm.

FOREST RESOURCES.

Our forest resources are second in importance only to the land itself, because of the many important industries for which the forest furnishes raw material, and of the forest's beneficent influences upon such other natural riches as waters for irrigation, power, and navigation, fish and game animals, and the land itself. Considerable attention is to be devoted to forest exhibits.

It is planned to illustrate the existing forest resources with their production and reproduction, their utilization, and their influences upon other resources.

The existing resources will be displayed by maps, models, diagrams, charts, pictures, tree sections, samples of woods, and other specimens.

The production and reproduction of forests will be exhibited in such ways as will contrast the wasteful methods of nature with the scientific methods followed by the forester. The exhibits will show forest destruction by fire, insects, grazing stock, and other natural agencies and the methods for preventing such destruction in this country and abroad; the place of the wood lot upon the farm, the scientific management of woodlands, the administration of the national forest, and planting and sowing natural forest land.

The utilization of the forests will be illustrated (1) by their products, the actual products being preferred to representations of them; (2) by methods used in production, so arranged as to contrast wasteful, unscientific methods with economical, scientific methods. In lumbering, for example, exhibits will be used to encourage the full utilization of all valuable material in the woods and the protection of young growth.

The most economical methods of manufacture will be shown; for example, the advantage of the band saw over the circular saw, of riving (for handle stock, and so forth), and veneer cutting, the utilization of short and odd lengths of lumber, the building up of beams, the manufacture of by-products, and the correlation of industries to reduce waste. Other exhibits will be employed to promote the utilization of substitutes of less valuable for more valuable and scarcer woods and the preservative treatment of certain classes of timbers.

The influences of the forest upon (1) surface conditions—preventing erosion of slopes and of the covering of alluvial bottoms; (2) stream flow for power, navigation, and irrigation, the lessening of the duration and intensity of floods and droughts, and of the setting up of storage reservoirs and channels of navigable streams; (3) the fixation of shifting sands; (4) climate and health; (5) fish and game animals will be set forth appropriately.

WATER RESOURCES.

The water resources of the country in general and of the South in particular will be displayed with reference to the use of water (a) for domestic supply, (b) for agricultural production, whether applied by natural means or by irrigation; (c) for power; and (d) for navigation.

The acquisition, control, and use of water for domestic supply will be illustrated (1) by representations of wells, cisterns, and springs, showing danger of contamination and means of preventing it; (2) by pumping and other devices for furnishing, distributing, and purifying water for domestic and community use; (3) by maps and statistics showing the natural distribution of water and the modification of the natural supply attending settlement and cultivation; and (4) exhibits showing the rôle of water among foods, with the consumption of artificial liquids, and so forth, as affecting both water supply and the public health.

The agricultural use of water will be illustrated (1) by actual examples on the exposition grounds, (2) by diagrams and statistics, (3) by methods of and devices for drainage or other means of controlling soil water, and (4) by devices for irrigation, and so forth. A special effort will be made through the combination of exhibits to bring home to every visitor the realization that floods may be prevented, destructive soil erosion may be avoided, and productivity may be greatly increased by such control of the natural water supply through tillage and crop selection that each farm will take care of all the water falling on it.

The development and utilization of water power will be illustrated (1) by model dams, conduits, and water engines, (2) by maps and statistics showing the distribution of water available for power, especially throughout southeastern United States, (3) by devices for electric and other conversion and transmission of water power, and (4) by diagrams and statistics.

The use of water for navigation will be illustrated by appropriate devices, supplemented by maps and statistical information, showing how the cost of transportation may be reduced by use of natural and artificial waterways.

MINERAL RESOURCES.

The mineral resources of the country as a whole, and especially of southeastern United States, will be exhibited as the chief basis for the greatness of this country in manufacturing and as a means of maintaining our industrial supremacy.

Our natural wealth in coal and the means of best utilizing it will be illustrated (1) by specimens showing thickness and character of veins, and so forth; (2) by maps, diagrams, and statistical information showing the extent and quantity of coal remaining in the ground; (3) by objective illustrations of methods of coal mining, showing ways in which waste of coal and other losses, including loss of life, may be reduced; (4) devices for the manufacture of coke, briquets, and other coal products; (5) furnaces, gasifiers, and improved gas and steam engines, illustrating improvements in combustion and the utilization of the largest practicable fraction of the thermal energy of the coal; and (6) representations of the uses of coal in smelting and other industrial processes.

Our wealth in iron will be illustrated (1) by specimens of ore and of manufactured products, including by-products, (2) by maps and statistics, and (3) by devices for and methods of working. Special attention will be given also to illustrations of the waste and destruction of manufactured iron by needless oxidation, electrolysis, and so forth, and to means of reworking iron and steel scrap; also to substitutes for iron, especially in construction, and to the wastes or losses in the mining treatment and utilization of other mineral and metal products and methods of preventing these wastes.

Petroleum, peat, and natural gas will be illustrated as mineral fuels, supplementing our natural supply of coal, while copper, zinc, lead, and other metallic minerals will be exhibited by specimens and otherwise in a manner corresponding to the display of iron.

Special attention will be given to the display of materials for construction available as substitutes for iron, especially (a) cement and concrete (both massive and reinforced), (b) fire clay, (c) brick material, and so forth; for it is realized that this is the dawn of a new era in construction in which materials at once available in vast quantities and indestructible by fire or other accident must be substituted for wood and expensive metal in the construction of dwellings, shops, factories, and other structures, especially in cities and towns.

HUMAN EFFICIENCY.

HEALTH.

By far the most important of all of our natural resources is man himself. It is to render his life more efficient that any form of conservation is advocated. Those vital forces intimate to himself are highest and noblest, and to their development, conservation, and best use deep thought and great effort should be devoted.

The abolition of child labor, particularly in the Southern States, the reduction of infant mortality, the eradication of dis-

ease, especially tuberculosis, the hookworm, and typhoid fever, will be graphically presented.

The protection of the milk and water supplies of our cities, the extermination of the fly and the mosquito, and the elimination from commerce of impure, adulterated foods and drugs will be presented in appropriate form as essential prerequisites of public health. There shall also be presented exhibits which will promote the protection of human life in mines, the shortening of hours of labor for women in factories, and other most desirable industrial reforms.

EDUCATION.

Another most important element in human development is education. The school is a crucial problem in the commercial upbuilding of the Southern States. School hygiene and sanitation, domestic economy, vocational training, industrial education for the negro, and rural school advancement shall be subjects for exhibition and shall be presented in the form of model demonstrations and in other ways.

DOMESTIC ECONOMY.

So important is this subject considered as an element in greater human efficiency that, though it might properly be included as part of another section, it is thought well to devote a separate paragraph to it. Home making is the first and most important step in nation making. The work of the wife and mother in the establishment and maintenance of a comfortable home, in the preparing of proper food, and by her wisdom and domestic labors in the creation and radiation of domestic tranquillity and happiness can contribute at least as much to the prosperity of the Nation and the efficiency of its citizens as can the husband and the father by his efforts in the outside world. The advancement of domestic science shall be encouraged, first, by exhibits in the form of (a) a model small dwelling properly furnished and cared for, (b) labor-saving devices in the homes, (c) demonstration meals publicly prepared and served by the domestic-science classes of high schools and university, (d) demonstrations of meat cuts, (e) demonstration of proper methods in marketing, (f) samples in domestic book-keeping, (g) lectures on domestic science.

GOOD ROADS.

Good roads are necessary requisites to development. Exhibits will be made of good roads in the form of (1) actual demonstration roads, (2) models showing materials, manner of construction, and the finished work, (3) road-making materials and machinery, (4) maps of important highways, (5) photographic enlargements of both good and bad roads and the consequences and industrial and social conditions attending each.

FISH AND GAME RESOURCES.

The cooperation of Audubon societies, fish and game commissions, and other organizations for the preservation of bird and animal life will be sought in exhibiting our animal resources and encouraging their perpetuation.

PRESERVATION OF NIAGARA FALLS.

Mr. SULZER. Mr. Speaker, I call up the conference report on the disagreeing votes of the two Houses on House joint resolution 232, extending the operation of the act for the control and the regulation of the waters of Niagara River, for the preservation of Niagara Falls, and for other purposes; and in that connection I ask unanimous consent for the reading of the accompanying statement.

The SPEAKER. The Chair will ask the gentleman from New York if the statement was printed in the Record?

Mr. SULZER. It was not. I ask unanimous consent now to have the statement read.

Mr. MANN. Mr. Speaker, I suggest to the gentleman that in order to get it up he will have to ask unanimous consent to call up the conference report, because the rule has not been complied with in regard to printing the statement in the Record.

The SPEAKER. That is the reason why the Chair asked the question. The gentleman from New York [Mr. SULZER] asks unanimous consent for the present consideration of the conference report. The Clerk will read the statement.

The conference report is as follows:

CONFERENCE REPORT (NO. 446).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the resolution (H. J. Res. 232) extending the operation of the act for the control and regulation of the waters of Niagara River, for the preservation of Niagara Falls, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: To insert after the word "hereby," in

line 4 of the resolution, the words "reenacted and"; and to strike out, in lines 5 and 6 of the resolution, the words "May 1, 1912," and insert in lieu thereof the words "March 4, 1913"; so that the resolution shall read as follows:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the aforesaid act be, and they are hereby, reenacted and extended from March 1, 1912, being the date of the expiration of said act, to March 4, 1913."

And the Senate agree to the same.

Amendments numbered 2 and 3: That the House concur in the amendments of the Senate numbered 2 and 3 to the preamble, viz, by striking out the word "expired" before the word "March" and inserting in lieu thereof the words "and further extended to"; and after the words "August 22, 1911," inserting the words "expires March 1, 1912"; so that the preamble shall read:

"Whereas the provisions of the act entitled 'An act for the control and regulation of the waters of Niagara River, for the preservation of Niagara Falls, and for other purposes,' approved June 29, 1906, and extended to June 29, 1911, by joint resolution (Public Res. No. 56), and further extended to March 1, 1912, by joint resolution (Public Res. No. 9), approved August 22, 1911, expires March 1, 1912."

And the Senate agree to the same.

WM. SULZER,

HENRY D. FLOOD,

Managers on the part of the House.

THEODORE E. BURTON,

ELIHU ROOT,

A. O. BACON,

Managers on the part of the Senate.

The Clerk read the statement, as follows:

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the resolution (H. J. Res. 232) extending the operation of the act for the control and regulation of the waters of Niagara River, for the preservation of Niagara Falls, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying report.

The resolution as it passed the House extended the so-called Burton Act regarding Niagara Falls to the 1st of May, 1912. The Senate extended it to the 1st of January, 1914. In conference it was agreed by the conferees to extend the so-called Burton Act to the 4th of March, 1913.

The entire matter is fully set forth in the conference report printed in the RECORD March 26, 1912.

WM. SULZER,

H. D. FLOOD,

Managers on the part of the House.

The SPEAKER. Is there objection to the present consideration of this conference report?

Mr. MANN. Mr. Speaker, reserving the right to object, I wish to make this statement: I appreciate the fact that gentlemen on that side of the House come to the matter of making conference reports somewhat new, and therefore may be properly excused for not fully complying with the rules, and on this occasion I shall not object; but gentlemen who make conference reports must remember that it is quite necessary to have statements made in connection with them for the information of the House, and that the rule requires those statements to be made and printed in the RECORD. On this occasion I shall not object, but may do so in cases hereafter.

Mr. SULZER. Mr. Speaker, the gentleman is technically correct, but the conference report sets forth the entire matter so fully and completely that it was not deemed necessary to make a statement.

The SPEAKER. No; but the rule requires the report and the statement. Has the gentleman any motion to make?

Mr. SULZER. I move that the conference report be agreed to.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. SULZER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of further considering the bill (H. R. 19212) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1913.

The SPEAKER. The gentleman from New York [Mr. SULZER] moves that the House resolve itself into Committee of the

Whole House on the state of the Union for the further consideration of H. R. 19212, the diplomatic and consular appropriation bill. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19212, the diplomatic and consular appropriation bill, with Mr. SIMS in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the purpose of further considering House bill 19212, the diplomatic and consular appropriation bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 19212) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1913.

The CHAIRMAN. There was a point of order pending when the committee rose.

Mr. HAYES. I desire to be heard briefly on the point of order. The pending question on Tuesday was as to whether the paragraph under consideration was subject to a point of order on the ground that there was no authority in existing law for the appropriation. I now have before me the treaty between this country and other countries establishing the International Institute of Agriculture, and I call attention to article 7 of that treaty, which reads as follows:

The permanent committee shall be composed of members designated by the respective Governments. Each adhering nation shall be represented in the said committee by one member.

That is the authority upon which we rely. That, of course, is existing law and provides for the appointment of this member of the permanent committee, for the payment of whose salary this appropriation is made.

Now, I desire to call the attention of the Chair, in connection with that—

The CHAIRMAN. The Chair will ask the gentleman from California if the pending point of order does not refer to the paragraph beginning with line 3 and ending with line 6, on page 16.

Mr. SULZER. The point of order is made against the paragraph beginning at line 3 on page 16.

Mr. HAYES. As I understand it, the point of order is against the paragraph beginning with line 3 and ending with line 6.

Mr. FOSTER. The point of order was made against the paragraph beginning with line 3 and ending with line 6 on page 16.

The CHAIRMAN. That is the way the Chair understood it.

Mr. SULZER. That is the present law. That has been the law ever since this institution was created. There is absolutely no change in the words.

Mr. HAYES. Will the gentleman wait one moment? I desire to call the attention of the Chair to section 3687 of Hinds' Precedents, volume 4, which reads as follows:

In the absence of a general law fixing a salary the amount appropriated in the last appropriation bill has been held to be the legal salary.

Now, Mr. Chairman, it seems to be very clear that existing law has created this member of the permanent committee from this country, and this item appropriates exactly the same amount, in exactly the same words, as was appropriated last year for the salary of this member of the permanent committee. To wit, the sum of \$3,600. Therefore it seems to me very clear that the paragraph in question is not subject to the point of order.

Mr. SLAYDEN. Is it not customary to use the word "hereafter" when it is proposed to make such appropriations in order in the future?

Mr. HAYES. So far as I have examined the precedents the decisions have been uniform in support of the rule, as I have stated it, without a single decision against it.

Mr. SLAYDEN. The appropriation for last year simply appropriated that amount for the current year.

Mr. HAYES. That is all that is necessary.

Mr. SLAYDEN. But nowhere is it fixed as being the permanent law.

Mr. HAYES. It does not have to be in such a case as this. The treaty having created the position or given the authority of law for its creation, and the House having appropriated the amount to pay the salary of the position, under the decisions that is regarded as sufficient authority of law for a further appropriation to pay the salary for the following year.

Mr. SLAYDEN. Is it the gentleman's contention that if an amendment is offered to this or any other appropriation bill, making a new appropriation, it may not be properly challenged by the point of order, even if a previous appropriation had been made, but which had not been specifically authorized by law?

Mr. HAYES. I will say, in reply to the gentleman, that the decisions are absolutely uniform without a single exception; that in such a case, under the present rules, an amendment offered to this section increasing the salary could be stricken out on a point of order. According to the decisions the salary is fixed by the appropriation of the last year, in the absence of other statutory authority fixing the salary. There is not a single exception to this, as far as I have been able to find.

The CHAIRMAN. Does the gentleman from California rely on the language of the treaty as authority for the making of the appropriation?

Mr. HAYES. Certainly; that is the law creating the position, and I rely upon the language of the appropriation bill of the last Congress as fixing the salary.

The CHAIRMAN. Does the gentleman insist that the language of the treaty is the existing law authorizing an appropriation?

Mr. HAYES. Absolutely.

Mr. MANN. If the Chair will indulge me for a moment, I believe I made a point of order against this paragraph in the bill when it was under consideration at the previous session of Congress; but after an examination of the treaty I came to the conclusion that the point of order would not lie against the item, because the treaty provides for the creation of the position. It does not provide for the salary; but under the interpretation of the rules, which is constantly made, the salary in the current law, if followed in the pending bill, is sufficient authority for the salary fixed in the present bill, so it seems to me that the point of order does not lie.

Mr. SULZER. Mr. Chairman—

The CHAIRMAN. The Chair is ready to rule.

Mr. SULZER. Very well.

The CHAIRMAN. In the absence of the language of the treaty, the Chair would be inclined to hold that there is no legislation authorizing it; but the attention of the Chair has been called to the language of the treaty, and the Chair is satisfied that the point of order is not well taken under the rule. The point of order is therefore overruled.

The Clerk read as follows:

For the payment of the expenses of delegates to the next General Assembly of the International Institute of Agriculture, to be held at Rome, \$10,000, or so much thereof as may be necessary, to be expended under the direction and in the discretion of the Secretary of State.

Mr. FOSTER. Mr. Chairman, I reserve a point of order on that paragraph.

The CHAIRMAN. The Chair understood that the gentleman from Missouri [Mr. HAMLIN] gave notice that he would make a point of order against it.

Mr. MANN. I will say that the gentleman from Missouri [Mr. HAMLIN] is not present, being detained on account of illness in his family to-day, or he would have made the point of order.

Mr. FOSTER. In that connection I am requested by the gentleman from Missouri [Mr. HAMLIN] to ask that he be given permission to extend his remarks in the Record upon the subject.

Mr. MANN. The gentleman from Missouri [Mr. HAMLIN] wishes to extend his remarks already made.

Mr. FOSTER. The gentleman from Missouri asked me, on account of his absence because of sickness in his family, to make a request for unanimous consent.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Missouri [Mr. HAMLIN] be permitted to extend his remarks in the Record.

Mr. FOSTER. On this subject, in the speech that he made the other day.

Mr. SULZER. I have no objection to the gentleman from Missouri having leave to extend his remarks in the Record.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HAYES. Mr. Chairman, I desire to ask the gentleman from Illinois if he is making a point of order or reserving it?

Mr. FOSTER. I am reserving it for the present.

Mr. HAYES. I desire to discuss the point of order. If it is in order, I will state that this paragraph, from line 7 to line 11, clearly is not subject to the point of order any more than the former paragraph. In that connection I want to call attention to article 2 of the treaty, which provides:

The institute shall be composed of the general assembly and a permanent committee, the composition and duties of which are defined in the ensuing articles.

Article 3 says:

The general assembly of the institute shall be composed of the representatives of the adhering Government. Each nation, whatever be the number of delegates, shall be entitled to the number of votes in the assembly which shall be determined according to the group to which it belongs, and to which reference will be made herein in article 10.

In article 10 it is provided that this country comes in group 1, which entitles us to five votes in the general assembly. The general assembly is created by this law, and this provision in the bill is intended to pay the expenses of the delegates to that general assembly from this country.

As has already been stated, a similar appropriation was made to defray the expenses of delegates from this country to the general assembly who attended at the last general assembly, and I can see no possible ground for a point of order against this provision of the bill. Clearly this general assembly is provided for in the existing law, and it certainly will not be claimed that when this general assembly is provided for the House has no authority to pay its expenses. It seems to me very plain that it is not subject to a point of order.

Mr. SULZER. Mr. Chairman, I concur substantially in all that the gentleman from California [Mr. HAYES] has said regarding this provision of the bill. By virtue of the treaty it is provided as follows in article 3:

Each nation, whatever be the number of delegates, shall be entitled to the number of votes in the assembly, which shall be determined according to the group to which it belongs.

Under this provision of the treaty the Government of the United States has been represented by delegates at Rome. The last delegation from this country consisted of the late Congressman Foster of Vermont, Representative Scott, of Kansas, Mr. Durand, of the Census Bureau, a representative from the Agricultural Department, and a representative, I believe, from the State Department. There is no doubt as to just what this provision in the treaty means. It means that this Government shall be represented at these congresses, and I call the attention of the Chair to the law on page 1290 of Statutes at Large, Sixty-first Congress, which says:

For the payment of expenses of delegates to the general assembly of the International Institute of Agriculture to be held at Rome during the year 1911, \$10,000, or so much thereof as may be necessary to be expended, under the direction of the Secretary of State, and to be immediately available.

Here is a precedent. This provision in the present appropriation bill is identical with the provision carried in the last appropriation bill. Hence, in my judgment, in view of the treaty and in view of the existing law, the point of order made by the gentleman from Illinois is untenable under our rules.

Mr. FOSTER. Mr. Chairman, there is, in my judgment, no doubt that according to this treaty we are expected in carrying it out to pay the expenses of a delegate to the institute to be held in Rome. Now, this provision of the law provides for five delegates and an appropriation of \$10,000.

Mr. SULZER. It does not say so.

Mr. FOSTER. The fact is, the treaty does not provide how many delegates we shall send to this institute, but it does provide for the one which has been declared in order and which is in the bill so far read.

Mr. KENDALL. The gentleman is mistaken; we have not made any provision for a delegate in the bill.

Mr. FOSTER. In the paragraph we have just passed.

Mr. KENDALL. That is not for a delegate.

Mr. FOSTER. That is for a permanent delegate.

Mr. SULZER. That is for our member—our permanent representative there. Quite a different matter.

Mr. KENDALL. He is not a delegate at all.

Mr. HAYES. He is a member of the permanent committee who resides in Rome. The delegates to the general assembly are entirely different.

Mr. KENDALL. They are in addition to the permanent delegate.

Mr. HAYES. Mr. Chairman, the general assembly is a legislative body that meets once in two years. The delegates are entirely different from the member of the permanent committee. The paragraph that has just been passed provides for a member of the permanent committee who resides in Rome and remains there permanently, whereas this paragraph applies to the delegates to the general assembly, which is a biennial meeting of the representatives of the different governments in a sort of agricultural parliament.

Mr. KENDALL. Mr. Chairman, I want to reenforce what the gentleman from California said. Last year, when the meeting of this institute was held in Rome, our representative was there—that is, the representative which has been provided for in the second section of this item. The member of the permanent committee of the International Institute, Mr. Lubin, of California, was there at that time, but he is not regarded or designated as a delegate as contemplated in the third provision. The delegates were Representative Foster, Representative Scott, an official of the Department of Agriculture, the Supervisor of the Census, and a representative from the State Department.

This provision that we are now considering relates to defraying the expenses of the delegates who shall be appointed to attend the institute the coming year, and has no connection at all with the permanent representation that we maintain there. I hope the gentleman from Illinois will not insist on his point of order.

Mr. FOSTER. Mr. Chairman, I desire to say further that this treaty provides for biennial meetings of the assembly. We appropriated last year for delegates under that treaty, and admitting that that is true, we would not be liable this year for another appropriation under the treaty.

Mr. HAYES. This is for the fiscal year 1913.

Mr. MANN. When is the meeting to be held?

Mr. HAYES. Next year.

Mr. MANN. If it is held before the 1st of July this appropriation would not be available.

Mr. SULZER. It will be held early next year.

Mr. KENDALL. It is to be held in May, 1913. It is held biennially.

Mr. FOSTER. Then I do not think we should be called upon to make an appropriation each year for this purpose.

Mr. HAYES. We had no appropriation last year; that was in the nature of a deficiency appropriation.

Mr. FOSTER. The chairman of the committee says that we did have an appropriation for that purpose.

Mr. SULZER. To pay the expenses of the preceding congress.

Mr. SLAYDEN. Mr. Chairman, will the gentleman from Illinois yield? I want to ask him a question, as he has given considerable attention to this matter. I want to ask him if this institute is a good thing, and if the delegates are necessary, is it necessary to have so many delegates as is provided for here?

Mr. SULZER. There is no number designated.

Mr. SLAYDEN. They provide for expenses of delegates.

Mr. SULZER. Of course, that is all.

Mr. FOSTER. They provide for \$10,000. I suppose that is more than one.

Mr. SULZER. Yes; five delegates attended the last congress.

Mr. SLAYDEN. They had five two years ago, did they not?

Mr. HAYES. Five, yes; at the last assembly.

Mr. SLAYDEN. I was supposing that five would be sent next year.

Mr. KENDALL. Not necessarily at all.

Mr. SLAYDEN. They are going to use up all of the appropriation.

Mr. KENDALL. They did not use it all last year.

Mr. SLAYDEN. The gentleman shocks me. [Laughter.]

The CHAIRMAN. The Chair would like to have the gentleman from Illinois give his views of the language of article 2 of the treaty wherein it says that the international institute of agriculture is to be a Government institution in which each adhering power shall be represented by the delegate of its choice.

Mr. FOSTER. I think we provided for delegates.

Mr. SULZER. No; Mr. Lubin is a member. He is not a delegate.

Mr. FOSTER. We provide for a member who is permanently located there.

Mr. KENDALL. He has no vote in this institute at all.

Mr. FOSTER. I think that is the provision that refers to the delegate that we have there all the time, to whom we pay \$3,600 a year. But even if that is true, it is not in order to make an appropriation this year when the treaty provides that it shall be biennial. It is not in order to appropriate each year.

Mr. SULZER. No appropriation was made for this last year.

Mr. FOSTER. I beg the gentleman's pardon. He has just read from the law in which an appropriation was made.

Mr. SULZER. That was the year before.

Mr. FOSTER. Oh, no; it was last year.

Mr. SULZER. I will ask the gentleman to look at the law.

Mr. FOSTER. This is 1911.

Mr. KENDALL. For expenses to be incurred in May, 1913.

Mr. SULZER. I have here the appropriations for last year, and I will show them to the gentleman.

Mr. FOSTER. It is right here.

Mr. SULZER. That is the law of the year before.

Mr. FOSTER. The gentleman read it.

Mr. SULZER. I did; but it is the law of the year before.

Last year's appropriation bill carried no appropriation for delegates to this international agricultural congress.

Mr. KENDALL. It carries it only biennially.

Mr. SULZER. That is correct.

Mr. MANN. Last year the bill carried an appropriation that was made immediately available.

Mr. SULZER. That was a deficiency appropriation for the expenses the year before.

Mr. HAYES. It was in the nature of a deficiency appropriation.

Mr. FOSTER. If that is true, I do not think we should make one this year.

Mr. SULZER. This appropriation is for next year.

Mr. HAYES. And you will have to have a deficiency appropriation next year if you do not make this appropriation this year.

Mr. SULZER. That is about correct.

Mr. Sisson. Mr. Chairman, in looking at this treaty I want to call the Chair's attention to the fact that article 3 of the treaty provides that delegates may be sent to this assembly, but there is nothing in the treaty that provides how these delegates may be selected.

Mr. KENDALL. The Chair has ruled on that point.

Mr. Sisson. This committeeman, upon provision for which the Chair has just ruled, is a part of a permanent organization, and this committeeman lives at Rome, but until this Congress shall by some law, by some statute, designate the authority to carry into effect the appointive power so that this Government may have an official representative, there is absolutely no law for this appropriation.

The CHAIRMAN. The Chair will ask the gentleman from Mississippi what this language means as contained in article 2:

The international institute of agriculture is to be a Government institution, in which each adhering power shall be represented by delegates of its choice.

Mr. Sisson. How can the United States Government, unless there is some legislation upon the subject, have representatives there to represent it, unless by law we provide the manner in which they shall be selected? Who has the authority to name them? The Secretary of Agriculture? The Speaker of the House of Representatives? The Vice President of the United States? The governor of some of the different States? The chairman of the Committee on Interstate and Foreign Commerce? The chairman of the Committee on Foreign Affairs? How are you going to be able to determine under this treaty how these representatives may be selected? I challenge these gentlemen who are advocating the making of this appropriation as authorized by law to show me one line of authority anywhere in the treaty, and so far as I have been able to see in the statute one single authority authorizing the Congress to make this appropriation, because there is no authority whereby men may be legally selected to represent the United States Government at this meeting. The Government might do so. This would be the basis for the legislation. This would be that basis which would lead up to a representation which would guarantee that this conference would be held, and that this conference would have representatives from the various Governments; that it would not be a failure; but this treaty does not bind the Federal Government at all until the Federal Government shall devise a method by which it will select its own representatives; and until some law is passed giving somebody the right to select them there is not a line or a syllable which authorizes the Secretary of Agriculture to appoint anyone, or that authorizes the President of the United States to do it. There is nothing that authorizes the Secretary of State to do it.

Mr. HAYES. Oh, yes.

Mr. Sisson. Not a line.

Mr. HAYES. Not in the treaty.

Mr. Sisson. Where is the law for it?

Mr. HAYES. It has been done right along.

Mr. Sisson. There is absolutely no law authorizing this to be made.

The CHAIRMAN. The Chair is ready to rule. The Chair is not without doubt on this matter, but it seems to the Chair that anything like a fair and reasonable construction of article 2 of the treaty authorizes an appropriation to pay the expenses of delegates therein authorized.

Mr. FOSTER. Mr. Chairman, will the Chair indulge me for a minute? Has the Chair decided?

The CHAIRMAN. The Chair is ready to hear the gentleman.

Mr. FOSTER. I just want to call the Chair's attention to a further matter. Article 10 says that at no time shall the expenses ever exceed 2,500 francs.

Mr. HAYES. Per vote.

Mr. FOSTER. It does not say anything of the kind. The gentleman has not read it and I have, and I know what it says.

Mr. SULZER. The treaty says, Mr. Chairman, article 10:

The number of votes which each nation shall have and the number of units of assessment shall be established according to the following gradations.

We are entitled to a certain number of votes in this congress, and our pro rata share of the expense is assessed according to the number of votes we have. The gentleman is taking the unique position that, although we have under the treaty these votes in this congress, we must not send anybody there to represent us, and to do our voting. It would be absurd for us to be charged for our votes in this congress and then send nobody there to do the voting.

Mr. HAYES. I call the gentleman's attention to the wording of article 10, which provides that not more than 2,500 francs per unit. Now, we have 16 units, and this has nothing whatever to do with the expense for this assembly, but for the general expenses of the institute.

Mr. SULZER. I ask for a ruling.

The CHAIRMAN. The Chair feels constrained to overrule the point of order.

Mr. Sisson. Mr. Chairman, I move to strike out the paragraph beginning with line 7 and concluding with line 11.

Mr. MANN. Mr. Chairman, I desire to offer a preferential motion. I move to strike out, on page 16, line 9, the word "ten" and insert the word "three," so as to read "\$3,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 16, line 9, by striking out the word "ten" and inserting the word "three."

Mr. MANN. Mr. Chairman, last year there was appropriated \$10,000, which was made immediately available, and under that appropriation five delegates were appointed to attend this congress or institute, absolutely, in my judgment, there being no occasion for sending five over there to represent the United States. It may be a very pleasant trip for certain gentlemen to make, but two delegates are amply sufficient—one might be, but two are amply sufficient—and the \$3,000 would pay the expenses of two delegates to this institute on the same basis that a little less than \$8,000 paid the expenses of five delegates. It seems to me that this institute, which is nothing very great at the best, is well taken care of by the United States, so far as we are concerned, when we provide the expenses of one gentleman as a permanent committee and two other gentlemen as special delegates from this country to go over to that institute—quite enough.

Mr. SULZER. Mr. Chairman, in reply to the gentleman from Illinois let me say that this institute is doing a great world work. It is making unique experiments and disseminating valuable information, and it is all benefiting beyond the conception of the finite mind the farmers of our country and the consumers of this country; and anything that will contribute to our agricultural resources, anything that will help the consumers of our country along the line of getting the necessities of life cheaper is a world work that demands the favorable consideration of every Representative in this House. It will be a mistake to strike out this provision or to reduce this appropriation. The Committee on Foreign Affairs have carefully considered this matter. We have been economical. We have been careful. We have pruned these estimates just as much as we possibly could. We have been criticized for cutting down some of the appropriations, but I want to repeat that we have cut no appropriation that we deemed necessary for the adequate administration of the service. We did not cut this appropriation because we deemed it as essential for the good of the country as any other appropriation in this bill, and I earnestly submit the whole matter to the sober, sensible judgment of the Members of the House and ask them to stand by the Committee on Foreign Affairs in our efforts to do something to decrease the cost of living of the consumers of our country.

Mr. SLAYDEN. Mr. Chairman, the question is not whether we are going to interfere with agriculture here or elsewhere. Crops will still be planted and will go on growing, and perhaps under the direction of the present Secretary of Agriculture, who is himself a good deal like Tennyson's brook. The question is whether the amendment suggested by the gentleman from Illinois is a practical one and ought to be adopted. This paragraph in the bill provides for the expenses of delegates \$10,000. He proposes to cut that appropriation to \$3,000. If he had cut it to \$2,000 it would have been 33 1/3 per cent better in my judgment. Two delegates will certainly be an abundantly large representation from this country to the institute, which he says at its best is not any great shakes. I hope that the amendment of the gentleman from Illinois will be adopted.

Mr. GARRETT. Will the gentleman permit me to ask him a question?

Mr. SLAYDEN. Certainly; or I will yield the gentleman the floor.

Mr. GARRETT. Whether or not he can state, and if he can not state if he will yield to the gentleman from New York to

state, if he knows of a single instance in which a single thing has been done by this institute that has helped in any respect whatever any farmer in the United States.

Mr. SLAYDEN. I will tell the gentleman from Tennessee, Mr. Chairman, that when this bill was up here on Monday, or Tuesday, perhaps—

Mr. GARRETT. Tuesday.

Mr. SLAYDEN (continuing). I asked for that same information and earnestly entreated the gentlemen who were the proponents of the measure to put their finger on one single instance. That has not been done as yet. Perhaps the gentleman from California, who is hopeful and optimistic, may be able to suggest some benefit, and I yield for him to do so.

Mr. HAYES. Mr. Chairman, I thank the gentleman. I want to say in regard to this matter that the figures collected by the Agricultural Department of this country relating to the products of the soil I believe to be one of the best functions that that department performs. The fact that that information is valuable is proved by the fact that the cotton speculators not long ago bribed the employees of the Department of Agriculture who had that information to give it out to them in advance of the official publication thereof. If it was not valuable they would not pay money and take the chances of the prosecution that would follow as a result of that information being given out prematurely.

Mr. LONGWORTH. Will the gentleman yield for a question?

Mr. HAYES. Certainly.

Mr. LONGWORTH. Can the gentleman inform me how many countries take part in this institute?

Mr. HAYES. Fifty—practically all the world.

Mr. LONGWORTH. And how many delegates do other countries send to that institute?

Mr. HAYES. Other countries of like size as the United States send five delegates.

Mr. LONGWORTH. Then to reduce this down to two would be to diminish our influence to that extent?

Mr. HAYES. Yes; but not our votes.

Mr. LONGWORTH. Yes; but generally it would indicate a lack of interest on the part of this country?

Mr. HAYES. Exactly.

Mr. SLAYDEN. All the votes could be cast by two delegates as well as five?

Mr. HAYES. They can.

Mr. SLAYDEN. Then that is an argument for one delegate.

Mr. HAYES. Now, Mr. Chairman, this International Institute of Agriculture is an official institution just as much as the Agricultural Department of the United States is, and the statistics which it is collecting are collected officially, just as those are collected officially which are collected in this country by our Government and in Austria and Russia and every other civilized country in the world by their respective Governments. The statistics are collected and furnished from the International Institute of Agriculture to every country that is a party to the treaty, ourselves included. Those statistics are collected and published and disseminated in exactly the same manner as ours are in regard to the agricultural interests of this country.

Mr. GARRETT. Does the gentleman from California contend that without representation on our part in this International Institute of Agriculture we could not get those statistics?

Mr. HAYES. Yes. There is no other avenue that is known by which this information can be collected.

Mr. GARRETT. The gentleman does not mean to say that this information is collected through the institute?

Mr. HAYES. I do.

Mr. GARRETT. Is it collected by the institute itself?

Mr. HAYES. Each country collects the information respecting its own territory. The information that is collected by our Agricultural Department is communicated to this International Institute of Agriculture, and by it it is communicated to all the other countries officially, and the same way with the other parties to the treaty.

Mr. GARRETT. And the gentleman states that without this institute that information could not be obtained from the other countries?

Mr. HAYES. That is it.

Mr. SISSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Mississippi?

Mr. HAYES. In a moment. It is true that in this country, prior to the collection of these statistics by our Agricultural Department, and in other countries prior to the establishment of the International Institute of Agriculture, those statistics were furnished to the various commercial organizations at their expense, and they were entitled to that information, only it was not a matter of public property at all. Now this information comes officially, and it can be communicated officially to

the various countries, and through those various countries the producers of cotton and wheat and corn and other products of the soil are supplied with the most reliable information regarding the crop conditions that can be found anywhere in the world, and therefore these producers can not be taken advantage of by speculators in the products of the soil. That is why I am in favor of it.

Mr. GARRETT. Will the gentleman yield?

Mr. HAYES. I will yield.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAYES. I would like to have two or three minutes more.

Mr. GARRETT. Mr. Chairman, I would like to be recognized. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Tennessee [Mr. GARRETT] asks unanimous consent that the time of the gentleman from California [Mr. HAYES] be extended five minutes. Is there objection?

There was no objection.

Mr. GARRETT. Do I understand the gentleman to say, for instance, that the cotton statistics that are gathered by this Government are not communicated to England and to the English dealers in cotton except through this institute?

Mr. HAYES. That is what I say; officially communicated; yes, sir.

Mr. GARRETT. Does not the gentleman from California know that on the very day those figures are given out here they are cabled to the remotest parts of the world?

Mr. HAYES. I know that; but the gentleman will understand that they are communicated officially to this International Institute of Agriculture, so that they are given out simultaneously all over the world. That is the thing which the gentleman does not seem to see the force of.

Mr. GARRETT. Does not the gentleman know that through the medium of the Associated Press and the various other newspaper agencies the very moment our agricultural statistics are made public they are cabled all over the world without being communicated directly by the Department of Agriculture?

Mr. SLAYDEN. In 15 minutes after their promulgation they are available to every broker's office in this country and Europe.

Mr. HAYES. Yes; but as soon as they are collected they become the property of the International Institute of Agriculture.

Mr. SLAYDEN. What does the gentleman mean by saying "they become the property of the International Institute of Agriculture"?

Mr. HAYES. They are all furnished officially then to the whole world.

Mr. SISSON. The gentleman from California now admits that there is an instantaneous communication of the crop reports all over the world without this?

Mr. HAYES. No. There would be no such reports without this institute. That is what the gentleman does not understand.

Mr. SISSON. If that is so, it would be just as useless with respect to other crop reports as it is with the cotton crop.

Mr. HAYES. The gentleman must understand that most of the other countries of the world have not had such a collection of statistics as we have had up to the time of the establishment of this institute, and the proposition here is not so much to have the crop conditions of the United States brought home to us, but rather the crop conditions of the outside world brought to us.

Mr. SISSON. The Governments of France, England, and Germany have had their own crop statistics.

Mr. HAYES. Yes; but until five or six years ago there were no such statistics of agricultural products collected in other countries.

Mr. SISSON. Until five or six years ago we had none in this country.

Mr. HAYES. Oh, yes; we had.

Mr. MANN. In this country we have had the collection of official crop statistics for a great many years.

Mr. HAYES. Very true.

Mr. GARRETT. This matter of the International Institute of Agriculture has been before us ever since I have been a Member of this House, and I am anxious to know about it. What does this institute do except to collect statistics?

Mr. HAYES. It takes care of the welfare of the agricultural industry all over the world. It is a new institution. It has been in operation only about four years. We can not expect that it will revolutionize the agricultural industry of the world in one year. It is an enormous institution. It has not got into full operation yet.

Mr. GARRETT. I am asking the gentleman from California what it does besides gather and communicate statistics?

Mr. FLOOD of Virginia. With the permission of the gentleman from California I will answer the question of the gentleman from Tennessee as to what it does. Is it not a fact that this institute investigates and studies and reports upon the question of plant diseases all over the world, and gets the accumulated wisdom of the world on those subjects and distributes it to individual farmers over the country? This work is of great benefit to the agricultural interests of this country and I trust will be retained in the bill.

Mr. HAYES. That is what I say.

Mr. MANN. Does any individual farmer ever get a copy of it?

Mr. FLOOD of Virginia. Oh, yes. You can send for it and get a copy of it.

Mr. MANN. I do not believe that any individual farmer has ever got a copy of it.

Mr. FLOOD of Virginia. You can get it if you make application for the bulletins.

Mr. HAYES. I believe I have the floor, unless my time has expired.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FLOOD of Virginia. If the gentleman asks me a question like that in good faith, I will answer it, because I happen to know something about farming; but I know it is not asked in good faith.

The CHAIRMAN. The Chair asks that sufficient order be maintained to enable the Chair to know who is addressing the Chair.

Mr. SULZER. Mr. Chairman—

The CHAIRMAN. The gentleman from New York.

Mr. CAMPBELL. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CAMPBELL. I want to know who has the floor.

Mr. SULZER. I have the floor.

The CHAIRMAN. The gentleman from New York [Mr. SULZER] has the floor.

Mr. CAMPBELL. Just a moment ago it was very confusing for us back here to try to tell which one of the 12 gentlemen on his feet had the floor.

Mr. SULZER. In reply to my friend from Tennessee, let me call his attention to the statement made by Mr. Olmsted, the Chief of the Bureau of Statistics in the Agricultural Department, who appeared before the committee and whose testimony is printed in the hearings. He stated that he was a delegate to the last agricultural congress in Rome of the International Institute of Agriculture.

Owing to that fact—

He says—

and my personal touch with the institute—that was why I came here to-day. This originated through the efforts of an American citizen, Mr. David Lubin. The American people felt the need of world information concerning agriculture. Mr. Lubin was a man of large fortune and he interested the various governments of the world in it, primarily the Kingdom of Italy and then the other kingdoms. He was the instigator of the adoption of an international treaty to which the United States Government is a party. That treaty was ratified in 1905. When I was at Rome last May there were 48 countries at that hearing. All the principal governments of the world and some unimportant ones; and since then two other governments have come in, making 50; and they now embrace practically the entire civilized world, with a few minor exceptions. These countries have bound themselves by a solemn obligation to sustain the institute pro rata.

You asked me, Mr. SULZER—

He continues—

what the institute was doing. I have samples of what it is doing. There is a bulletin issued every month containing crop statistics. Prior to the report the institute sends a cablegram to the Department of Agriculture, so that we have the information promptly, and that is sent to the press. In addition to that they issue a bulletin on plant diseases, and that report contains the accumulated wisdom of the world. Another bulletin issued deals with cooperation among farmers. It gives the information to us. The yields are greater than for centuries, and we grow more pro rata because of our improved scientific culture. How do these books get the best information? Because they boil down the information gathered throughout the world. These documents are now in English, but they have been translated into English out of the surplus fund.

Mr. BOWMAN. Regarding the necessity of sending delegates to this convention, is it not the purpose to send experts in their several branches of knowledge, so that a general knowledge of the subject may be given to this country?

Mr. SULZER. Yes; and I will say that there is an adage in a Great Book, recognized as an authority throughout the civilized world, that "in a multitude of counsel there is much wisdom." Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the motion of the gentleman from Illinois [Mr. MANN]. The Clerk will again report it.

The Clerk read as follows:

Page 16, line 9, strike out the word "ten" and insert in lieu thereof the word "three."

The question being taken; on a division (demanded by Mr. MANN) there were—ayes 33, noes 43.

Accordingly the amendment was rejected.

Mr. Sisson. I move to strike out the paragraph.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Mississippi.

The Clerk read as follows:

Page 16, strike out the paragraph beginning with line 7, down to and including line 11.

Mr. Sisson. Mr. Chairman, it strikes me that when you look at the personnel of this committee of five delegates who went to the last meeting, you will discover that they were not the great scientists they purported to be. It seems to me this is rather a junket that some gentlemen want to take, and the expenditure of \$10,000, or \$2,000 apiece, to go and spend a few days over in Italy attending this conference is an outrageous expenditure of public money. I have no doubt in the world, after the vote which has just been taken, that the committee will vote down my motion to strike this out, but I shall give this committee and these so-called economists an opportunity to determine whether or not they mean what they say. I have heard a great deal about economy from Democrats when the Republicans were in power and voting the money. But if such items as this go in many bills little economy will be accomplished. Now, that we have a majority and have the opportunity to cut out useless expenditures, let us make good our promises and not make ourselves ridiculous before the country.

Mr. BURLISON. That remark will be quoted on every stump in the country this fall.

Mr. Sisson. The gentleman says my remark will be quoted. I have no objection to that. When Democrats continue the extravagance of Republicans, they ought to be quoted, and they ought to bear the brunt before the American people. I do not believe in playing hide and seek on these propositions, because, as far as I am concerned, I am a real economist.

Mr. HAY. Does the gentleman know how much money has been saved on the appropriation bills which have already been passed by the Democratic majority of this House?

Mr. Sisson. I do not know that one cent has been saved yet. I know that we have cut down some estimates here, but I have got to wait to see what those committees are going to do in conference, and I have got to wait to see what the Democrats are going to do when those conference reports come back here.

Mr. HAY. In my judgment the gentleman ought to be a little more charitable to his colleagues on this floor, and not put the Democratic Party in a false position.

Mr. Sisson. I do not put my colleagues in a false position. If the facts show no economy it will not be a false but a true position. I hope that the conferees of the Democratic committees will stand squarely by the economies that they have undertaken; but when he asks me how much they are going to save I can not tell him. I do know that several million dollars were saved in the Army bill reported by his committee, for which I commend him, and I trust that the other committees will do as well. But before we can boast of economy we must make good our promises. If our conferees will stand by their guns we can effect some economy, but if we fail and the extravagance continues, then we are ridiculous.

Here is an opportunity that we have to cut off thirty-odd thousand dollars of useless expenditure.

Mr. FLOOD of Virginia. Is the gentleman aware that this bill is \$600,000 less than the bill for the same purpose passed by the last session of Congress?

Mr. Sisson. My information is that it is considerably less, but this bill is not passed yet, and it is not a law. Why not save \$30,000 here and now?

Mr. FLOOD of Virginia. Does the gentleman think it is fair to criticize the Democratic Party for extravagance, in view of the fact that the committee has reported a bill carrying \$600,000 less than the Republican committee reported it in the last session for a similar purpose?

Mr. Sisson. I want to say that I commend them for every legitimate economy. I do not believe that every time you reduce an appropriation it means economy. On the contrary, there are many items that ought not to be reduced and many items that ought to be increased, but if there is one single extravagant item in the bill it does not justify the Democratic Party for leaving it there. We ought to cut it out. It is criminal to leave it in.

Mr. GARRETT. I want to say that the Committee on Foreign Affairs is to be congratulated in making a saving of over \$600,000 in making up this bill, and I think they can go further and add a saving of \$30,000 additional by cutting off this item.

Mr. SISSON. And I am willing to help the gentleman from Tennessee and the gentleman from New York and the gentleman from Virginia to show more Democratic economy. Let us practice what we preach.

Mr. SULZER. Mr. Chairman, in reply to the gentleman from Mississippi, I submit that in the opinion of the Committee on Foreign Affairs this appropriation is necessary. It is money well spent. It will be a great mistake to strike the provision out of the bill. We have economized in every way we possibly could. We have been criticized to some extent for the way we have economized and yet we take these criticisms good-naturedly. They come from outside sources. However, I think it comes with very bad grace from a Democrat to criticize us for not going further along the lines of economy than we did. We went as far as we could consistently with common sense. We endeavored not to be penny wise and pound foolish. We are willing to take the judgment of the House.

Mr. SISSON. Will the gentleman yield?

Mr. SULZER. Yes.

Mr. SISSON. I want to say to the gentleman that I am not charging him with the entire fault of leaving these items in here. I charge his Democratic colleagues on this side of the House and those who have followed him in the wrong direction and the Republicans over there who have followed him.

Mr. SULZER. Mr. Chairman, my friend is in error. We cut the estimates submitted in this appropriation bill \$652,206, and the bill in its present shape carries appropriations of over \$500,255 less than the appropriations in the bill of last year. That speaks for itself. That is saving some money for the taxpayers. I want to impress on the Members of the House that this appropriation bill, all told, carries only \$3,427,000. Just think of it. We are appropriating only three and a half million dollars for one of the greatest and most useful departments of our Government, the Department of State, which stands for peace and commerce and friendship with all nations. We appropriate over \$100,000,000 for the Army—that is for war. We appropriate over \$100,000,000 for the Navy—that is for war. We appropriate over \$150,000,000 for pensions—that is for war. And yet for peace and commerce we appropriate only about three and one-half million dollars. What a comparison! What a commentary on war and peace! And for every dollar that this Government spends for its foreign service, for the administration of our State Department, the citizens of America receive back, directly or indirectly, a hundred dollars for one, and everybody familiar with history knows it. [Applause.]

Mr. Chairman, that is all I want to say. I ask for a vote.

The CHAIRMAN. The question is on the motion of the gentleman from Mississippi to strike out the paragraph.

The question was taken, and the amendment was lost.

The Clerk read as follows:

For the payment of the quota of the United States for the fiscal year ending June 30, 1913, of the cost of translating into and printing in the English language the publications of the International Institute of Agriculture at Rome, \$5,000, or so much thereof as may be necessary.

Mr. FOSTER. Mr. Chairman, I make a point of order on this paragraph.

The CHAIRMAN. Does the gentleman wish to be heard on the point of order?

Mr. FOSTER. Under the treaty we are expected to pay our proportion of the expenses of this institute. The treaty provides that certain things shall be done, and among them is the printing and distribution of this information which is gathered by the delegates to the institute. We have appropriated in a previous item in this bill for the payment of the quota of the United States for the support of the International Institute of Agriculture for the calendar year 1913, \$4,800. It occurs to me that this item is included in that item of \$4,800, and therefore I think that this paragraph is subject to a point of order.

The CHAIRMAN. The Chair will ask the gentleman from Illinois in what article of the treaty does he find a provision for the payment of printing?

Mr. FOSTER. While it does not say exactly for printing, article 9 provides what this institute shall do. I do not think there can be found any authority anywhere in the treaty providing for the translation of this information into another language.

The CHAIRMAN. The Chair does not find any provision in the treaty which seems to cover the expenses for translation, but he understood the gentleman from Illinois to say that there was such a provision.

Mr. FOSTER. It was provided for in the expenses for the dissemination of information.

Mr. SULZER. Mr. Chairman, in article 9 of the treaty it provides what the institute shall do, what publications shall

be issued, and, of course, all that is done in a foreign language. In order that the people of the English-speaking countries may be able to utilize this valuable information it must be translated into the English language.

In view of what the institute is doing, the American delegates decided informally, after consultation, and subject, of course, to the approval of Congress, that an English edition of the publications ought to be secured by direct appropriation on the part of the English-speaking countries adhering to the institute.

The estimated cost of translating into English and printing these documents is about \$12,000 per annum, of which amount the delegates from the United States are of the opinion that the United States should contribute \$5,000, leaving the United Kingdom of Great Britain and Ireland, the Dominion of Canada, and other English-speaking countries to contribute the remaining amount needed.

It is therefore recommended by the delegates that in the next estimate submitted by the Department of State to Congress an item of \$5,000 be included, in addition to other moneys appropriated for the institute and for the payment of delegates thereto, as a proper amount for the United States to contribute as its share of the cost of translation of the publications into English and their printing in that language. There was an informal understanding with the executive officers of the institute that if this were done the institute would supply as many English copies of each document to the United States as is possible on the basis of its contribution, which publications will be subject to distribution by our Government, either through the Department of State or through the Department of Agriculture, or otherwise. It is believed that these copies might advantageously be distributed free of charge to agricultural colleges, agricultural societies and institutions, and the leading agricultural papers of the United States. So much for that. In regard to the point of order made by the gentleman from Illinois, I desire to say that if it be sustained we will place ourselves in the anomalous position of appropriating money to maintain the institution, of participating in its deliberations, and then refusing to appropriate needed money to utilize and disseminate the information. What will the taxpayers of our country think of that kind of foolish legislation? It is too absurd for serious discussion.

Mr. HAYES. Mr. Chairman, I call attention to article 9, which provides for collecting and publishing the information:

To collect, study, and publish as promptly as possible statistical, technical, or economic information concerning farming, both vegetable and animal products, commerce in agricultural products, and the prices prevailing in the various markets.

It seems to me there is plenty of authority for providing for the expenses of this publication. I do not see how it can be otherwise.

Mr. FOSTER. It does not provide for translating it.

Mr. HAYES. I should say it would be included. It can not be published unless it is published in the language of the country so that it can be read.

Mr. FOSTER. It can be published, however.

Mr. HAYES. That is plain to me. You can not publish a thing unless you publish it so that the people can understand it. Would the gentleman think that publishing in the Chinese language was publishing within the meaning of a statute of the United States? Of course not. It has to be published in the language of the country.

Mr. SULZER. That is self-evident.

Mr. FOSTER. The gentleman does not mean to make that sort of a statement.

Mr. HAYES. I do, indeed.

Mr. FOSTER. Then the gentleman does not understand the situation at all.

Mr. HAYES. The gentleman does.

Mr. FOSTER. The gentleman does not, because it may be published in any other language.

Mr. HAYES. But it could not be published in this country.

Mr. FOSTER. It does not say that it shall be published in the English language.

Mr. HAYES. It says that it shall be published.

Mr. FOSTER. This is a treaty of all the Governments of the world.

Mr. HAYES. It is to be given to the public. That is what "publishing" means. How is it to be given to the public if it is not printed in the language that they understand?

Mr. FOSTER. Just as they have given a lot of them out—printed in a foreign language.

Mr. HAYES. That is a very narrow construction.

Mr. MANN. Mr. Chairman, there are 48 countries adhering to this institute.

Mr. SULZER. Fifty now.

Mr. HAYES. It is growing.

Mr. MANN. Fifty. I am willing to accept the amendment. There were forty-eight when the last report was made. It is quite evident, Mr. Chairman, that if this provision were to publish the proceedings of this institute in Chinese it would be subject to a point of order; but so far as the treaty is concerned there is no distinction between our appropriating money for the publication in the Chinese language and the publication in the English language. The treaty provides for the publication of the proceedings. That is something for the committee in control to determine. Here is a proposition to make a special appropriation for a special publication in a special language. The fact that we speak English is no more justification, so far as the point of order is concerned, for making an appropriation to publish this in the English language than it would be to have it published in the Chinese language. It is for the board in control to determine; and I take it that we have no authority to make an appropriation to publish it in any special language, because that is a change of the authority now conferred upon the institute and the board. There are, as the gentlemen now say, 50 adhering countries. There were 48 at the time of the last meeting. At that time 46 of the countries were represented by a total of 99 delegates. A large number of those delegates were composed of the gentlemen acting as the permanent committee. We find here a proposition which we have just passed, that this country shall provide for 6 delegates to this institute, as against a total of not to exceed 2 delegates for each of the other countries on the average.

Mr. Chairman, it is a fine thing to provide junketing trips for various gentlemen in connection with the Government or outside of the Government. When we made the first appropriation last year no one knew what the necessary expenses would be. But we find now that we could send six delegates—five in addition to the permanent committee—abroad for less than \$8,000, and provide junketing trips for five persons from the United States. I am surprised that this House has now voted to retain in this bill a provision for a junketing trip by six or seven gentlemen from the United States, in order that they may go on a pleasure trip to Rome. I am not a candidate for the place. If they would make the appropriation sufficiently large to include all Members of Congress it might appeal to us all. I had hoped that the time had come when, knowing what the expenses would be, we would cut out junketing trips to Rome or junketing trips to other places.

The CHAIRMAN. The Chair is of opinion that the word "publish," as used in the treaty, even giving it a liberal construction, does not authorize the committee to provide for the translating of the proceedings into a particular language, because in this country we have people who speak the English language, people who speak the German language, the French and the Italian, and other languages, and therefore the Chair feels constrained to sustain the point of order.

Mr. SULZER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 16, after line 11, insert:
"For the payment of the quota of the United States for the fiscal year ending June 30, 1913, of the cost of the publications of the International Institute of Agriculture at Rome, \$5,000, or so much thereof as may be necessary."

Mr. Sisson. Mr. Chairman, I make the point of order against that.

Mr. SULZER. Mr. Chairman, this appropriation is clearly within the rule and not subject to a point of order. We are an adhering member of this institute, and under the treaty we are obligated to pay our share of the expenses. This appropriation simply does that.

The CHAIRMAN. Does the gentleman from Mississippi wish to be heard upon the point of order?

Mr. MANN. Mr. Chairman, will the gentleman from New York yield?

Mr. SULZER. Certainly.

Mr. MANN. What is the quota of the United States? Is there any provision in the treaty in reference to quotas?

Mr. SULZER. Yes.

Mr. MANN. Respecting publication?

Mr. SULZER. Article 10 of the treaty provides for that.

Mr. MANN. What is the provision?

Mr. SULZER. Article 10 of the treaty reads as follows:

The nations adhering to the institute shall be classed in five groups, according to the place which each of them thinks it ought to occupy. The number of votes which each nation shall have and the number of units of assessment shall be established according to the following gradations.

Then it gives the gradations of these nations in the five different groups, and goes on to say what each nation shall contribute.

Mr. MANN. What does it say about the contribution? I have not the treaty here.

Mr. SULZER. The five groups are as follows:

Group No. 1, number of votes, 5; units of assessment, 16. Group 2, number of votes, 4; units of assessment, 8. Group 3, number of votes, 3; units of assessment, 4. Group 4, number of votes, 2; units of assessment, 2. Group 5, number of votes, 1; units of assessment, 1.

The treaty then says:

In any event the contribution due per unit of assessment shall never exceed a maximum of 2,500 francs. As a temporary provision, the assessment for the first two years shall not exceed 1,500 francs per unit. Colonies may, at the request of the nation to which they belong, be admitted to form a part of the institute on the same conditions as independent nations.

Mr. MANN. How many units does the United States represent?

Mr. SULZER. Sixteen. We belong to the first grade. We are a first-class Nation.

Mr. MANN. Twenty-five hundred francs is \$500.

Mr. SULZER. Yes; about that.

Mr. MANN. Mr. Chairman, it seems, according to the treaty and the statement of the gentleman, that the quota of the United States could not exceed \$8,000.

Mr. HAYES. No; \$4,800.

Mr. MANN. Now, we have already provided in one item of the bill \$4,800 and here is an item to provide \$5,000 additional, and that is why I asked the information.

Mr. HAYES. The particular provision which has been read only applies to the general expenses of the institute, of which our quota is \$4,800.

Mr. MANN. What provision is there in the treaty that we shall pay for a portion of the printing expenses in addition to our quota? That is what I am endeavoring to obtain information concerning. I understand the limitation of expense was the limitation of our quota to the institute. We have already provided for that in the paragraph at the top of the page. The gentleman now offers an amendment to provide an additional quota for printing, but has given us no statement. I do not know that there is an authorization for such purpose.

Mr. SULZER. Article 9 provides for that.

Mr. FOSTER. It provides what shall be done.

Mr. MANN. I asked the gentleman in respect to it with a view of giving us the information.

Mr. SULZER. I will send it to the Clerk's desk, if the gentleman desires, and have it read.

Mr. MANN. I would rather have the gentleman state it.

Mr. SULZER. Article 9 of the treaty provides what this International Institute of Agriculture shall do, and it provides for the publication of the work—

Mr. MANN. Yes; but is there any provision for an additional payment by the adhering members over the amount that they contribute as their quota of the expenses of the institute?

Mr. FOSTER. None at all.

Mr. MANN. What is the \$4,800 we have already provided for in the bill?

Mr. SULZER. That amount of \$4,800 in the bill is to pay our pro rata share as an adhering member.

Mr. MANN. I will read it to the gentleman. It is at the bottom of page 15 and reads as follows:

For the payment of the quota of the United States for the support of the International Institute of Agriculture for the calendar year 1913, \$4,800.

Mr. SULZER. That is what we agreed to pay, whether we get any benefit from it or not.

Mr. MANN. But that is our quota for the support of the institute, and that covers all our expenses.

Mr. SULZER. Well, not exactly.

Mr. HAYES. Publication is not part of the support of the institute.

Mr. MANN. What is the \$4,800 for?

Mr. SULZER. I have stated that. The \$5,000, I will say to the gentleman, is for the Government of the United States to utilize by publication in English the information which comes from this institute in a foreign language. The institute publishes its information bulletins and reports in a foreign language. We get them. In order for us to utilize them we must translate them; in order to translate and publish them in English we have to pay for the translation, and we are now appropriating the money to pay for the translation and for the publication in English for our own people. If the gentleman does not want us—

Mr. MANN. The treaty provides what the institute shall do. It provides that it shall publish the reports. It provides that

we shall contribute our quota of the entire expenses of the institute. That quota is \$4,800, and that covers all the expense which we are authorized under the treaty to contribute to the institute. In addition to that, we have already provided for the expense of a permanent committee of one and of delegates, and all that we must contribute to the institute under the terms of the treaty as the quota of the United States is \$4,800, and that is carried in the other item.

Mr. SULZER. Will the gentleman allow me? What the gentleman says is quite true so far as it goes. But we have provided for all the things which we must do under the treaty. In consequence of that we get this valuable information, and that comes to us in a foreign language. It must be translated and published in English to be available to the people of this country who speak English. This \$5,000 is for that purpose. I can not make it clearer.

Mr. MANN. I will say to the gentleman I suppose if any information is ever published by this institute which is worth translating we have a Department of Agriculture to which it comes and which is capable of translating and publishing it as a publication of the Department of Agriculture.

Mr. SULZER. That department informed us it did not have the money to do it.

Mr. Sisson. Will the gentleman yield?

Mr. SULZER. In a moment. A representative of the Department of Agriculture appeared before the committee and testified that the department had no money for this purpose, and hence the Department of Agriculture and the Department of State recommend this appropriation.

Mr. MANN. The Department of Agriculture has plenty of money which it could use for this purpose to pay to publish it, and if it has not used it, it is because they have found nothing worth publishing.

Mr. FOSTER. I would ask my colleague if the Department of Agriculture does not translate a great many foreign languages into our language?

Mr. MANN. Certainly.

Mr. FOSTER. And it is doing it all the time.

Mr. Sisson. If the gentleman from Illinois will yield, article 9 is the article in the treaty which defines the purposes and objects of this organization. Now, in order to support that organization we have to appropriate, as the gentleman from Illinois suggests, \$4,800.

The article says the institute confines its operations to certain things; is a mere shell; that it shall study certain things, and report, and communicate with parties, and make known information obtained, and so forth. There are eight or nine different sections. Now, the purpose, as the gentleman from Illinois [Mr. MANN] has suggested, of the existence of the organization, as provided for in this section, is to enable the United States Government to do its part of the work assigned to this organization in article 9.

Mr. MANN. Certainly.

Mr. Sisson. Therefore we have already provided, as the gentleman from Illinois suggests, for the very thing that the gentleman from New York is asking \$5,000 for.

The CHAIRMAN. If the Chair understands the gentleman from Illinois, his contention is that the expense to be covered in this paragraph is included in the first paragraph?

Mr. MANN. The work is there covered.

The CHAIRMAN. And the additional appropriation that has already been carried by the committee equals the amount that we are authorized to appropriate under the treaty?

Mr. MANN. That is right.

Mr. Sisson. And that covers specifically the publications as outlined in article 9.

The CHAIRMAN. Unless the Chair is assured that this article does cover the item, he is inclined to sustain the point of order.

Mr. SULZER. If the Chair will indulge me, I wish to say that the \$4,800 appropriated in the bill is paid as the pro rata share of the United States as an adhering member of the International Institute of Agriculture. That has nothing to do with the costs to us of translating and publishing the information we receive.

Mr. Sisson. What is that made for?

Mr. SULZER. If the gentleman from Mississippi will allow me to conclude, I will impart to him the information. We get the publications of this International Institute of Agriculture. They come to us, of course, as I have said, in a foreign language, and in order to be of use to our English-speaking people they must be translated, and this money appropriated in this paragraph is for the purpose of translating, publishing, and utilizing these bulletins, these reports, and this information.

The CHAIRMAN. The Chair would like to ask the gentleman from New York this: The gentleman does not claim that there is any law except the treaty authorizing the payment of these appropriations—no other existing law?

Mr. SULZER. I claim that under the treaty this appropriation is not subject to a point of order.

The CHAIRMAN. What does the gentleman from New York claim is the amount that can be appropriated, relying on the treaty as existing law?

Mr. SULZER. Mr. Chairman, we would place ourselves—

The CHAIRMAN. The Chair means, what sum should we appropriate under this treaty? What number of dollars altogether?

Mr. SULZER. Under the treaty, which is the law of the land, we can appropriate just what we have appropriated for the purposes I have indicated. That is the contention we make, and I want to say, in support of the contention, that we would place ourselves in a ludicrous position if we paid our share for the support of the institution and then, when the institution sends us our share of the benefits, we do nothing with them. It would be absurd. We should utilize the data or we are wasting money, it seems to me, in being a member of this International Institute of Agriculture.

The CHAIRMAN. On the question of the point of order, the Chair does not see that he can take that reasoning of the gentleman as conclusive.

Mr. Sisson. Mr. Chairman, the conjecture of the gentleman from New York must rest upon article 9 of this treaty. Now, we have already appropriated the money to carry into effect the purposes of the treaty, as enumerated in article 9. Now, if the requirement of article 9 has been provided for in the \$4,800 appropriated—and the gentleman admits that in article 9 is the authority he has for the appropriation of \$4,800—and the Chair holds that he has no other authority for the appropriation of \$4,800, we have already appropriated the \$4,800. Within the very first clause of article 9 the subdivision is marked "A"—collecting, studying, and publishing of statistics and information are provided for or outlined. The article reads as follows:

ARTICLE 9.

The institute, confining its operations within an international sphere, shall—

(a) Collect, study, and publish as promptly as possible statistical, technical, or economic information concerning farming, both vegetable and animal products, the commerce in agricultural products, and the prices prevailing in the various markets.

(b) Communicate to parties interested, also as promptly as possible, all the information just referred to.

(c) Indicate the wages paid for farm work.

(d) Make known the new diseases of vegetables which may appear in any part of the world, showing the territories infected, the progress of the disease, and, if possible, the remedies which are effective in combating them.

(e) Study questions concerning agricultural cooperation, insurance, and credit in all their aspects; collect and publish information which might be useful in the various countries in the organization of works connected with agricultural cooperation, insurance, and credit.

(f) Submit to the approval of the Governments, if there is occasion for it, measures for the protection of the common interests of farmers and for the improvement of their condition, after having utilized all the necessary sources of information, such as the wishes expressed by international or other agricultural congresses or congresses of sciences applied to agriculture, agriculture societies, academies, learned bodies, etc.

So that he has already got the \$4,800 to do that work with. Now, if the \$4,800 is properly allowed, it is allowed under article 9, and if it is allowed under article 9, then the gentleman has no other clause upon which to hang this appropriation now asked for. Therefore, you have already appropriated for the expenses and maintenance and publication and the study that the treaty was intended to obtain.

Mr. HAYES. Mr. Chairman, I want to call the attention of the Chair to the fact that the \$4,800 is for the maintenance of the International Institute of Agriculture and for the payment of the necessary expenses of administration. There is no part of that that is to be used for publications, if we desired them to be published so that the people of this country might use them. That is an entirely different matter.

Mr. MANN. Will the gentleman from California yield to me for a question?

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Illinois?

Mr. HAYES. Certainly.

Mr. MANN. Out of what fund do they now pay for the publication?

Mr. HAYES. Out of the special appropriation for that purpose.

Mr. MANN. We have never made any special appropriation for that purpose.

Mr. HAYES. I think we have.

Mr. MANN. The gentleman is mistaken in that.

Mr. HAYES. The gentleman did not understand, probably, or was not paying attention when the gentleman from New York [Mr. SULZER] read the report of our delegates, stating what our proportion of this publication expense would be.

Mr. MANN. I have read the report of the delegates, and I did not need to hear the gentleman from New York read it. We have never made any appropriation for the publication of these reports. They have always been published out of the quota which we contributed, together with the quotas contributed by other nations, for the administration of the institute.

Mr. HAYES. I am now advised by the chairman of the committee that these publications have heretofore been published by the Department of Agriculture. But the statement in the hearings is that there is no money available for the year 1913 for that purpose.

Mr. MANN. I have the reports from this institute, published in the English language, published by the institute, published from the maintenance fund, a portion of which we contributed; published in the English language. The gentleman from California is aware of that, too.

The CHAIRMAN. The Chair would like to ask the gentleman from California if this paragraph of this appropriation here is not intended for publications to be made or used in the United States?

Mr. HAYES. Certainly. It is intended to cover our proportion of the cost of publication in the English language in England, Canada, Australia, and the various other English-speaking colonies.

The CHAIRMAN. Does the gentleman contend that the treaty binds us to publish this information in our own country?

Mr. HAYES. It does not bind us to publish the information in our own country, but it contemplates and provides for such publication.

The CHAIRMAN. But the Chair thinks that the language used in section 9 does not authorize this appropriation, and sustains the point of order. The Clerk will read.

The Clerk read as follows:

INTERNATIONAL RAILWAY CONGRESS.

To pay the quota of the United States as an adhering member of the International Railway Congress for the year 1913, \$400.

Mr. Sisson. Mr. Chairman, I want to reserve a point of order against this paragraph. What is this for?

Mr. Sulzer. Mr. Chairman, in reply to the gentleman from Mississippi I desire to say that membership in the International Railway Congress by the Government of the United States was invited by the Government of Belgium in 1905. The views of the Interstate Commerce Commission were solicited in the matter and were obtained in a letter from Martin A. Knapp, its chairman, who stated that "it is believed and earnestly desired" by every member of the commission that the Congress of the United States should provide for an annual adhering contribution of the same amount as is regularly given by the other principal Governments of the world, and that the commission would be pleased to cooperate, by recommendation or otherwise, in securing the requisite appropriation.

In view of this statement, the late Secretary of State [Mr. Hay] applied to Congress, through the Secretary of the Treasury, for authority for the adhesion of this Government to the International Railway Congress and for an annual appropriation of \$400 for the Government's quota toward the support of the Railway Congress. It was made known to this Government that, in order to adhere to the congress, it would be required of this Government to pay annually on April 15 of each year the sum of \$400 so long as it remained a member.

This International Railway Congress is a matter of some importance, especially to the Interstate Commerce Commission and to the railroads of the United States. Our proportion of this expense is very small—only \$400 a year. This congress meets every two years in one of the capitals of the world, and delegates from the various Governments of the world attend at their own expense, participate in its deliberations, and discuss railroad construction, railroad management, railroad improvement, everything, in fact, in connection with railroads, from their successful building to their successful operation.

Mr. Sisson. What good does the \$400 do? That does not send a delegate there, does it?

Mr. Sulzer. No; it does not. That is our share of the expense for getting the reports. These reports are published and are sent to the Government of the United States, and the information is utilized in various ways through the State Department. The delegates pay their own expenses. We have been appropriating this \$400 a year as our share of the expense since 1906.

Mr. Sisson. It went out of the bill last year, did it not?

Mr. Sulzer. Yes. It went out of the bill on a point of order, and it is subject to a point of order. There is no authority of law for it, so far as I can find out; but I want to say to the gentleman that heretofore every man who has been a delegate from this country to these international railway congresses has paid his own expenses. He has been some expert, some railroad builder, or some railroad operator, and has paid all of his expenses out of his own pocket, so it has cost the Government nothing except \$400 a year, for which we get the benefit of the proceedings of the convention.

Mr. Sisson. Mr. Chairman, I make the point of order against the paragraph on the ground that there is no authority of existing law. It went out of the bill last year without any contest.

Mr. Sulzer. I ask my friend to reserve the point of order. This is important.

Mr. Sisson. I will reserve it, Mr. Chairman, so that the gentleman may make his statement.

Mr. Sulzer. I ask the Clerk to read a letter from the American Railway Association.

The CHAIRMAN. Does the gentleman from New York admit that there is no existing law authorizing this appropriation?

Mr. Sulzer. Nothing except the fact that we have been an adhering member of the International Railway Congress ever since 1905. We have been represented in every one of these congresses, and all that we have paid is \$400 a year—too small an amount to quibble about. In this connection I want to read this letter:

THE AMERICAN RAILWAY ASSOCIATION,
New York, January 11, 1912.

HON. WILLIAM SULZER,
Chairman Committee on Foreign Affairs,
House of Representatives, Washington, D. C.

DEAR SIR:

I think that investigation of the facts of the case will find that this supposition was not correct. This subject was first brought before the Fifty-seventh Congress at its second session, in Document No. 398, which was a communication addressed by Mr. O. L. Spaulding, Acting Secretary of the Treasury Department, to the Speaker of the House of Representatives, dated February 16, 1903. This communication transmitted a letter from the Hon. John Hay, Secretary of State, to the Secretary of the Treasury, dated February 13. In Secretary Hay's letter, after stating the facts of the case, Mr. Hay writes: "In view of the foregoing, I have the honor to request that you will bring the matter to the attention of Congress, in the hope that it will commend itself to the favorable consideration of that body, that its authority will be given for the adhesion of this Government to the International Railway Congress, and that the sum of \$400 will be appropriated annually as this Government's quota toward its support."

In the communication from Acting Secretary Spaulding to the Speaker of the House of Representatives he recommends that "authority be given by Congress for the adhesion of this Government thereto and an appropriation of \$400 annually as its quota toward the support of said International Railway Congress."

No action was taken by the Fifty-seventh Congress in response to those communications; but under date of December 16, 1903, as shown in Document No. 140 of the second session of the Fifty-eighth Congress, Hon. L. M. Shaw, Secretary of the Treasury Department, sent a communication to the Speaker of the House of Representatives, transmitting a letter from Hon. Francis B. Loomis, Acting Secretary of State, dated December 14, 1903, in which he says: "I have the honor to renew the recommendation made in this department's letter to you of February 13, 1903, that the authority of Congress be obtained for this Government's adhesion to the International Railway Congress, the next session of which is to be held in the city of Washington in May, 1905, and that the sum of \$400 be appropriated annually as this Government's quota toward its support."

I am not able to state the time that the appropriation bill was passed; but under date of August 15, 1904, I received a letter from the Hon. F. B. Loomis, Assistant Secretary, Department of State, which refers to the action of Congress in providing for this Government's participation as a contributing member of the International Railway Congress.

I understand this appropriation has been accordingly made every year since until last year.

In view of the facts above stated, was not the House in error in striking out this appropriation on the point of order that it was not authorized by law, and that the Department of State had assumed the obligation of this subscription without securing the consent of Congress?

There is another point which, I think, should be considered in connection with the failure to pass the appropriation last year. The principal expense in connection with the maintenance of the congress association is that connected with the sessions of the congress, which are held in various parts of the world every five years. In Secretary Hay's communication of February 13, 1903, above alluded to, he says: "The expenses of the session are distributed over five years, so that it would be expected that this Government's membership would continue for that time at least."

The expenses of the session held in Berne in 1910 have not yet all been paid, and if the last year's appropriation is not provided for in the deficiency bill, the United States Government will be placed in the position of refusing to pay its proportion of the expenses of the congress which it officially appointed delegates to attend.

As showing the importance in which this congress is held by the Governments of other countries, I inclose a copy of a list of Government adherents and the amounts contributed annually by them, which was included in the document submitted by Secretary Hay in 1903.

Very respectfully, your obedient servant,

W. F. ALLEN, General Secretary.

EXHIBIT A.

Government adherents and amounts contributed annually by them.

	Francs.
Belgium	3,385.25
Great Britain	2,000.00
Spain	2,000.00
France	2,000.00
Russia	2,000.00
Austria	1,000.00
Brazil	1,000.00
Hungary	1,000.00
Italy	1,000.00
Mexico	1,000.00
Chile (500 plasters)	850.00
Egypt	668.40
British India	625.00
Japan (200 yens)	510.00
Canada	500.00
Denmark	500.00
The Netherlands	500.00
Norway	500.00
Portugal	500.00
Roumania	500.00
Sweden	500.00
Switzerland	500.00
Ottoman Empire	400.00
Greece	300.00
Argentine Republic	250.00
Ecuador	250.00
Haiti	250.00
Queensland	250.00
Luxemburg	250.00
Bulgaria	100.00
Bolivia	100.00
Congo Free State	100.00
Dominican Republic	100.00
Natal	100.00
New South Wales	100.00
Victoria	100.00
Siam	100.00
Serbia	100.00
New Zealand	100.00
Paraguay	100.00
Nicaragua	100.00
Total (\$5,337.73)	26,688.65

That letter speaks for itself.

The CHAIRMAN. The Chair is ready to rule on the point of order.

Mr. Sisson. The late Mr. Foster of Vermont was chairman of the committee, and he conceded that there was no law for it, and it went out without a contest last year.

The CHAIRMAN. The Chair is compelled to sustain the point of order.

The Clerk read as follows:

INTERNATIONAL SANITARY BUREAU.

For the annual share of the United States for the maintenance of the International Sanitary Bureau for the year 1913, \$2,830.79.

Mr. MANN. I move to strike out the last word.

Mr. Sisson. I reserve a point of order on the paragraph.

Mr. MANN. All I was going to do was to suggest whether it should not be amended by inserting the words "calendar year." In some places in the bill you have the words "calendar year" and in some places not.

Mr. Sulzer. I think it should be "calendar year."

Mr. Sisson. I want to ask the chairman of the committee whether that appropriation is authorized by law, and if so, what is the authorization?

Mr. Sulzer. Mr. Chairman, we have made this appropriation every year for some time.

Mr. Sisson. I do not care about that. I should like to know the authority for the appropriation—not what we have done heretofore.

Mr. Sulzer. Of course, it is subject to a point of order. If the gentleman makes it he must take the responsibility.

Mr. MANN. Mr. Chairman, on this last item I hope the gentleman from New York will move to amend by inserting the word "calendar" in line 24.

Mr. Sulzer. Mr. Chairman, I move to amend by inserting before the word "year," in line 24, page 16, the word "calendar," so that it will read "calendar year."

The Clerk read as follows:

On page 16, line 24, after the word "the," insert the word "calendar," so that it will read "calendar year."

The amendment was agreed to.

The Clerk read as follows:

INTERNATIONAL OFFICE OF PUBLIC HEALTH.

For the payment of the quota of the United States for the year 1912 toward the support of the International Office of Public Health, created by the international arrangement signed at Rome December 9, 1907, in pursuance of article 181 of the international sanitary convention signed at Paris on December 3, 1903, \$3,015.62.

Mr. MANN. Mr. Chairman, I suggest to the gentleman from New York that he insert the word "calendar," in line 25, page 17, before the word "year."

Mr. Sulzer. Mr. Chairman, I move to amend the bill by inserting the word "calendar" before the word "year," in line 25, page 17, so that it will read "calendar year."

The Clerk read as follows:

Page 17, line 25, after the word "the" at the beginning of the line, insert the word "calendar," so that it will read "calendar year."

The amendment was agreed to.

The Clerk read as follows:

INTERNATIONAL SEISMOLOGICAL ASSOCIATION.

For defraying the necessary expenses in fulfilling the obligations of the United States as a member of the International Seismological Association, including the annual contribution to the expenses of the association and the expenses of the United States delegate in attending the meetings of the commission, \$1,300.

Mr. Sisson. Mr. Chairman, I reserve a point of order to the paragraph. I would like to ask the gentleman from New York if that has relation to the variation of the sun's rays?

Mr. Sulzer. No. I will say to the gentleman from Mississippi that this provision applies to experiments which are being made in all the civilized countries of the world regarding earth tremors and earthquakes. It is purely scientific and a very important matter. Our share of the expense is very small. We are a member of this association, and we ought to pay our pro rata share of the expenses. We get all the benefits. The item was omitted from the diplomatic and consular act for the fiscal year ending June 30, 1912. That was a mistake. We should defray our necessary expenses in fulfilling the obligations of the United States as a member of the International Seismological Association, including the annual contribution to the expenses of the association and the expenses of the delegate of the United States in attending the meetings of the commission.

Inasmuch as the Government of the United States, by its formal notification of adherence to this association, became a member of the association, its status is determined by the agreement regarding the organization of the association, according to article 5 of which those nations are members of the association which have declared their adherence thereto, and by article 16 of the agreement which provides that the agreement is concluded for a period of 12 years, beginning April 1, 1904. Consequently, the earliest date on which this Government could withdraw from the association is March 31, 1916.

Mr. Kendall. It is under a treaty, is it not?

Mr. Sulzer. Well, hardly.

Mr. Sisson. I make the point of order, Mr. Chairman. It went out on the point of order last year.

Mr. Mann. Will the gentleman withhold his point of order for a moment?

Mr. Sisson. I will withhold it.

Mr. Mann. The gentleman will find in the report, page 8, a paragraph that covers this:

Another item omitted from the diplomatic and consular act for the fiscal year ending June 30, 1912, is that of defraying the necessary expenses in fulfilling the obligations of the United States as a member of the International Seismological Association, including the annual contribution to the expenses of the association and the expenses of the delegate of the United States in attending the meetings of the commission.

I am not sure that they had any authority to become an adhering member, but, still, we did become an adhering member. Now, it seems to me that we might properly pay our quota until we have under the terms of the agreement withdrawn from it.

Mr. Sisson. I will say to the gentleman from Illinois that, of course, if the United States Government, by any proper authority, has entered into an obligation with any Government, whether it was wise or unwise, after having entered into it, we ought to carry it out in good faith. But I notice in the Record that when the paragraph was reached last year the late Representative Foster stated that he conceded the point of order.

Mr. Mann. Yes; but with due deference to Mr. Foster, who has passed to the other shore, I want to say that he did not have the information and did not know anything about it at the time.

Mr. Sisson. If that obligation resting upon the Government is one made by proper authority of the United States, having the right to bind this Government, of course the point of order could not and ought not to be sustained, and I have no disposition to make it; but if gentlemen who entered into a quasi agreement, or some individuals belonging to some association entered into the agreement, then it ought not to bind the Government.

Mr. Mann. We became an adhering member by action of our officials representing the Government in an international relation. I do not now recall whether it was by treaty or not; but an organization was perfected by different nations, and

there was a provision that other nations might become adhering members on certain terms. We accepted the terms, became an adhering member with the agreement, which may or may not be binding, that that should be good for 12 years.

Mr. SULZER. That is about the status of the case.

Mr. Sisson. The gentleman from Illinois appreciates the danger in a Government like ours of men occupying an official position making agreements that will tend to bind the Federal Government, without authority so to do, which would put us in an embarrassing attitude.

Mr. MANN. Oh, I appreciate all that; and yet if the State Department believes that it had authority to and did make this Government an adhering member, I would rather make a small appropriation for the item provided in the agreement and have no question arise about our paying our honorable obligations, even if we put in a provision that we shall recede from the agreement thereafter.

Mr. SLAYDEN. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. SLAYDEN. Does the gentleman from Illinois think the department had any authority to make us an adhering member?

Mr. MANN. I do not know whether they followed the requirements of the Constitution or not; I do not now recall.

Mr. Sisson. I would like to know the manner in which we became bound, the manner in which the provision has been made heretofore.

Mr. MANN. We undertook to become an adhering member in accordance with the terms of this international agreement. For instance, we have what is known as the convention of 1818, relating to war vessels on the Great Lakes. I believe that never was entered into by constitutional authority, and yet it has been observed now for nearly 100 years. Of course, we are not required to make the appropriation in any event; even if there had been a treaty we would not be required to make an appropriation. But in reference to this matter, in good faith, we became an adhering member—whether it was a constitutional treaty or not I do not now recall—but the appropriation is not large, and I think we are in a way honor bound to make the appropriation. It is a little different from some of these other voluntary associations.

Mr. Sisson. I want to ascertain whether we entered into it through the proper officers of the Government. The chairman of the committee informs me that he believes it was not done by treaty; if so, we ought not to make the appropriation.

Mr. MANN. Mr. Chairman, if the chairman of the committee would index his hearings, we might be able to tell.

Mr. SULZER. These simple hearings need no index.

The CHAIRMAN. Does the gentleman from Mississippi make the point of order?

Mr. Sisson. Mr. Chairman, I shall make the point of order unless they can show that this agreement was made by some authority which would bind the United States Government. I do it because I do not believe these people representing the State Department or people in any capacity or through any organization ought to endeavor to bind Congress, either directly or indirectly, to pay money out of the Treasury. It ought to come in the regular constitutional way.

Mr. SULZER. Mr. Chairman, this appropriation is made in accordance to custom. However, it seems to me that the United States, by a formal notification, having become an adhering member of this association, is pledged to continue as such by virtue thereof until March 31, 1916. It seems to me it is binding on Congress for us to carry out our obligations in the matter in good faith.

The CHAIRMAN. On the point of order the Chair does not know, and therefore is asking the gentleman from New York whether there is any existing law by treaty or otherwise?

Mr. SULZER. Mr. Chairman, as I said, by impression is there is no treaty—merely a formal notification.

Mr. Sisson. Mr. Chairman, the statement made by the gentleman from New York [Mr. SULZER] would not bind the United States Government. Neither the President nor the Secretary of State can enter into such an agreement and bind Congress by it without authority of law.

Mr. SULZER. Quite true.

Mr. KENDALL. Mr. Chairman, will the gentleman from New York permit an interruption?

Mr. SULZER. Certainly.

Mr. KENDALL. Mr. Chairman, several of the most important nations of the earth have established a convention or conference with the purpose in view of investigating the subject to which this title relates. What I now state is from memory of what was disclosed in the Committee on Foreign Affairs. After the conference had been in operation for a period of years, the

United States Government was invited to become an adhering member and to participate in the conference as the years elapsed. I think the term of membership is 12 years, and by the proper authority, whatever that may have been, whether the President of the United States or the Secretary of State, I do not now remember—certainly not by any subordinate official—by an authority who was competent for that purpose, the United States Government associated itself with these other Governments to promote the investigation of the subjects which are to be inquired about by that conference. That has gone on now for several years, and the arrangement has been in full force and effect. We are an adhering member of that conference, sharing its benefits and responsible for its support. The appropriation is provided "to fulfill the obligations of the United States as a member of the International Seismological Association, including the annual contribution to the expenses of the association and the expenses of our delegate in attending the meetings of that commission." This is a matter in which the Geological Survey primarily is interested, and I remember quite distinctly, although it does not appear in the hearings, that the gentleman representing that survey, who was before the Committee on Foreign Affairs, expressed very great solicitude that this provision be continued for the ensuing year.

The Secretary of State, when he was before the committee, as is disclosed on page 61 of the hearings, together with Mr. Smith, conceded that this item was omitted from the appropriation act of last year, but insisted that we were obligated to continue membership in the association until 1916. We are just in this situation: The Secretary of State or the President has by official act associated us with this conference, and we have become an adhering member of the institution. We have made appropriations as the years have gone by to defray the expenses of the conference and of our delegates who have attended it. We are obligated to continue that relation for a period of 12 years from the beginning, and that term will not expire, as the gentleman from Illinois [Mr. MANN] suggests, until 1916.

Mr. FOSTER. Mr. Chairman, will the gentleman yield?

Mr. KENDALL. Yes.

Mr. FOSTER. Who was authorized to make this Government an adhering member?

Mr. KENDALL. My impression is it was made so by the Secretary of State.

Mr. FOSTER. But without any authority of law?

The CHAIRMAN. The Chair would like to state to gentlemen that there must be something definite shown here upon which the Chair can base a ruling that this paragraph is in order.

Mr. KENDALL. Mr. Chairman, I was about to suggest to the gentleman from New York that he allow this item to be deferred until we can ascertain definitely.

Mr. Sisson. Mr. Chairman, this may be a very worthy and very proper object of investigation, but I do not believe that the President of the United States or the Secretary of State ought to enter into these obligations that require expenditures from the Treasury unless they do it in a constitutional way. Now, the assumption of authority, even of a very worthy matter, may sometimes embarrass the Congress and embarrass us in the future very greatly.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. Sisson. I make the point of order.

Mr. MANN. Will the gentleman reserve the point of order for a moment?

Mr. Sisson. Yes, sir.

Mr. MANN. Mr. Chairman, when this bill was under consideration by the Committee on Foreign Affairs and this item was under consideration there seemed to be as much information in the committee on the subject as there is in this committee at present. The gentleman from Iowa [Mr. KENDALL] made this remark:

There is not any doubt but that this will be brought up on the floor of the House, and I think it is very important for somebody on the committee to make the inquiries that they are now proposing, so that we may have definite knowledge as each item is attacked. We will certainly have to defend these items.

Mr. KENDALL. I hope the gentleman will not read something without disclosing from what document he is reading.

Mr. MANN. And yet in spite of the warning given by my friend from Iowa we have no information about this item when it comes on the floor.

Mr. SULZER. Mr. Chairman—

The CHAIRMAN. The Chair is ready to rule.

Mr. KENDALL. Mr. Chairman, I ask unanimous consent to proceed for one minute.

Mr. SULZER. I yield to the gentleman from Iowa.

Mr. KENDALL. My attention is just directed to this statement quoted by the gentleman from Illinois, and I discover that he has not applied it to the subject under discussion there. The statement which I made was in reference—

Mr. MANN. The subject of discussion was this item in the bill.

Mr. KENDALL. No; the specific proposition being considered was this: The gentleman from Virginia [Mr. Flood] had inquired of the Secretary of State:

Was this amount ever carried in one of those secret vouchers, this \$3,000—was that covered by a secret voucher?

Secretary KNOX. I can not tell you about that. I can not imagine it would be.

And then after some little discussion Mr. GARNER, of Texas, said:

Now, they are trying to ascertain whether or not this money was paid, as our part of membership in this association, out of any other money appropriated for the diplomatic and consular service.

Then I employed the language quoted by the gentleman from Illinois, because I remembered the jealousy gentlemen are constantly professing as to the prerogatives of Congress and the sanctity of the Constitution generally, and I was merely suggesting that we should have assurance that this money was not expended out of the emergency fund.

Mr. MANN. I supposed the gentleman was talking about the item under consideration. I gave him credit of saying that some one on the committee representing the committee on the floor ought to have information. Now the gentleman retracts, so I suppose no member of the committee at that time thought it was necessary when you bring a bill in the House to have information regarding it.

Mr. SULZER. Mr. Chairman, in answer to the gentleman from Illinois, I desire to say that, so far as I know, there is no law behind this appropriation save an official notification by which the United States agreed to become an adhering member of this International Seismological Association. It is true, nevertheless, that we have been paying our pro rata share for its maintenance, except last year, when a point of order was made against the appropriation, and it went out on the point of order. In my judgment, the appropriation should be made. It is a matter of some moment. I ask for a ruling.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

ARBITRATION OF OUTSTANDING PECUNIARY CLAIMS BETWEEN THE UNITED STATES AND GREAT BRITAIN.

For the expenses of the arbitration of outstanding pecuniary claims between the United States and Great Britain, including the compensation of arbitrator, umpire, agent, counsel, clerical and other assistants, to be expended under the direction of the Secretary of State, and to be immediately available, \$50,000.

Mr. Sisson. Mr. Chairman, I reserve the point of order. What are these claims?

Mr. SULZER. Mr. Chairman, in reply to the gentleman from Mississippi, I will say the Government of the United States and Great Britain have entered into a convention to arbitrate claims of their respective citizens. These claims, on our part, date back a hundred years or more, and consist of claims of various citizens of the United States against the Government of Great Britain and claims of citizens of Great Britain against the Government of the United States.

Mr. Sisson. Is there any law for this appropriation?

Mr. SULZER. Yes; there is a law for this appropriation. There is a treaty. I will say that an immediate appropriation in the matter was of so much moment and urgency that the Committee on Appropriations carried part of this appropriation in the urgent deficiency bill. We are appropriating now the balance required for the next fiscal year.

Mr. Sisson. If the gentleman is sure it is covered by a treaty which binds the Government, I have no objection to the item being included in the bill.

Mr. SULZER. There is no question about it.

Mr. KENDALL. The Secretary of State said there was a convention ratified last year.

Mr. MANN. A fresh treaty.

Mr. SULZER. Mr. Chairman, these claims, I will say, cover a period of over 100 years. After a great deal of trouble our distinguished Secretary of State was successful in getting the Government of Great Britain to consent to arbitrate them. For many, many years there has been an effort to make a wholesale adjustment of these claims. Some of them are of rather an embarrassing nature. Efforts have been made from time to time to get a treaty with Great Britain that would refer all of these claims on both sides to an international tribunal, a special tribunal, or a general tribunal, as the case might be, and we have at last succeeded in negotiating such a treaty, and it has been ratified by the Senate. Now, it will necessarily require

years to try out the cases of the Americans before that tribunal, and we will also have to take up the cases that the British make against us before that tribunal. This is one of the most essential things, I think, that the State Department has accomplished, and will have more to do with clearing up any differences between ourselves and Great Britain, as to any possibility of international difference, than anything we have done for a long time. The appropriation asked for was \$75,000. The urgent deficiency bill carried an appropriation of \$25,000, so I cut this down to \$50,000. That is all, I think, that is necessary for me to say.

Mr. Sisson. Mr. Chairman, I withdraw the point of order. The Clerk read as follows:

INTERNATIONAL CONGRESS OF HYGIENE AND DEMOGRAPHY.

For the continuance of the preliminary work necessary in preparing for the meeting in the United States, in the year 1913, of the Fifteenth International Congress of Hygiene and Demography, in pursuance of the invitation extended by the President of the United States in virtue of the joint resolution of the Congress thereof approved February 26, 1907, \$10,000, or so much thereof as may be necessary.

Mr. Sisson. Mr. Chairman, I reserve the point of order.

Mr. COVINGTON. Mr. Chairman, I desire to offer the following amendment: In line 1, page 19, I want to move to strike out the word "thirteen" and insert in lieu thereof the word "twelve."

Mr. MANN. If the gentleman will pardon me, would it not be better to insert when we reach that point, if we do, before the word "year" the word "fiscal," so it will read "in the fiscal year"?

The CHAIRMAN. The Chair will state that the point of order has been reserved and the amendment is not now in order.

Mr. COVINGTON. I will state to the gentleman from Mississippi that the first amendment I am now offering does not affect this appropriation one way or the other; it is merely to cover a detail.

Mr. MANN. Mr. Chairman—

Mr. SULZER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. There is a point of order pending.

Mr. Sisson. Mr. Chairman, my point of order is that this is not authorized by law.

Mr. MANN. Mr. Chairman, I would like to be heard a moment on the point of order.

In the year 1907 we passed a joint resolution, which became a law, to the effect that—

The President of the United States be, and he is hereby, authorized and requested to extend an invitation to the Twelfth International Congress of Hygiene and Demography, held at Berlin in 1907, to hold its thirteenth congress in the city of Washington, D. C., in 1909 or 1910.

There was some error in the number of the congress named in that joint resolution. The congress was not held in 1909 or 1910, and we subsequently passed a joint resolution, which I do not have here, covering the same thing, authorizing that the time be extended for holding the congress on invitation of the President until 1912, this year; so that the invitation for this congress to be held in the United States is by authority of law passed by Congress.

Now, then, the question is whether, under that law which authorized an invitation to be extended for that congress to meet in the United States this year, there is any authorization for an appropriation. The Chair will notice that this item is "for the continuance of the preliminary work necessary in preparing for the meeting in the United States in the year 1913 of the Fifteenth International Congress of Hygiene and Demography." I am not sure whether that number is correct or not, but the number of the congress has been correctly fixed in the resolution which was passed. This item of the bill is in the current law, "for the continuance of the preliminary work necessary in preparing for the meeting in the United States" of this congress. The sum of \$10,000 is carried in the present appropriation law. An appropriation was made several years ago by Congress, according to my recollection—which I am sure is correct—for preparing for this congress to meet here first in 1909 and now in 1912.

Now, here is an invitation to an international congress to meet in the United States—an invitation extended by the President by direction of Congress. Thereupon Congress makes an appropriation for the preparation for the meeting in the United States. It is expressly stated that that appropriation is to prepare for the meeting. Then an appropriation is made to continue the preliminary work necessary for the meeting. It seems to me perfectly plain that that is one of those cases where it is a work in progress. We have extended an invitation to the congress to meet here. We have made an appropriation for preliminary work, with no limit of cost fixed upon it. We then made an appropriation to continue the preliminary work of preparing for the meeting in the United States this year. Here

is an item to carry along that work of preparing for this congress. It seems to me there can be no question about its being a work now in progress, and not subject to a point of order.

Mr. SLAYDEN. Mr. Chairman, I wanted to ask the gentleman from Illinois a question.

Mr. MANN. Certainly.

Mr. SLAYDEN. I was trying to listen to the gentleman's statement, but was interrupted while I was trying to listen. Do I understand the gentleman to say that we have issued an invitation to some foreign or international association to come to the United States?

Mr. MANN. We first issued an invitation by direction of Congress for this international congress to meet here in the United States in 1909 or 1910. Then by another joint resolution passed by Congress we authorized the President to extend the invitation and extend the time until 1912, which is this year, as the time when that congress is to meet. Now, having issued these two invitations, we made an appropriation for the preliminary work of preparing for the meeting of this congress. Then we made another appropriation to continue the work of preparing for the congress, there being no limit of cost, and everybody understanding that the preparation for the congress must continue up to the time of the meeting of the congress.

Mr. SLAYDEN. What I wanted to inquire of the gentleman is whether we have made inadequate provision, or no provision whatever, for the extension of decent hospitality to the gentlemen whom we have invited to come. Is that right?

Mr. MANN. We have not yet made provision enough for the meeting of the congress.

Mr. SLAYDEN. Do we not have to do that at the present session?

Mr. MANN. The congress meets in the fall or this summer.

Mr. SLAYDEN. This meets in September.

Mr. MANN. It meets in the fall, I say, and unless we make an appropriation at this session of Congress of course we will not make the proper preparation for this meeting of the international congress.

Mr. SLAYDEN. Having issued the invitation, we certainly ought to do the correct thing in taking care of the company invited.

Mr. COVINGTON. I would like to ask this question, Whether or not it is a fact that the invitations were transmitted through the foreign Governments and not through the association itself?

Mr. MANN. I think that is correct.

I want to make this additional statement, Mr. Chairman: The original resolution under which the first invitation was extended went through the Committee on Interstate and Foreign Commerce, of which I was a member, and I became somewhat interested in the proposition, partly because of the name "demography," which excited my attention, and I gave some consideration to the subject at that time. Subsequently, when it was learned that the congress could not be held and properly prepared for at the time stated, in 1909 or 1910, I introduced a resolution authorizing the extension of the time until 1912, and I did that at the request of Dr. Fulton and others who were preparing for the congress. That matter came up in our committee, and I was rather of the opinion that while we had entertained jurisdiction over the original resolution, possibly it ought to have gone to the Committee on Foreign Affairs, and I either had the resolution introduced afterwards by Mr. Perkins, who was the chairman of the Committee on Foreign Affairs, or else sent my resolution to his committee; I do not remember which. But growing out of it I became interested in the subject in a way, and learned what they were proposing to do. This congress will be of immense value to the health authorities not only of our country but of the world.

Mr. Sisson. I will state to the gentleman that, while I believe the paragraph is subject to a point of order—because I do not know that the invitation would authorize the appropriation—the gentleman from Maryland [Mr. Covington] has stated to me that he would not offer the amendment which he had intended to offer to increase the appropriation which the committee has reported. No, of course I have no objection to a correction of the clerical errors, and with the understanding that the appropriation will not be increased I shall be glad to withdraw the point of order and permit the \$10,000, the amount which was agreed upon by the committee, to be appropriated.

Mr. SULZER. That is satisfactory. This matter will be taken care of in ample time.

Mr. MANN. Mr. Chairman, I ask the gentlemen on the Committee on Foreign Affairs whether, in their judgment, they were fully warranted in reducing the estimate of \$40,000 to \$10,000? I take it that if we are going to have this congress here, as we are going to have it, if we are going to do anything about it at

all, every Member of the House thinks that we ought to do it in a decent way.

Mr. Sisson. Before the gentleman from New York answers the question, I believe \$40,000 has already been appropriated, has it not?

Mr. SULZER. No; \$10,000. In answer to the gentleman from Illinois [Mr. MANN], I desire to say that, in my judgment, this appropriation is not subject to a point of order, because it is made in pursuance of a joint resolution of Congress which is the law, and the Congress, in pursuance of that provision, appropriated last year \$10,000 for the preliminaries of this International Congress of Hygiene and Demography. The matter came before our committee, and we considered it very carefully. It is an important matter. This international congress gives every promise of being largely attended. Of course, having invited delegates here, it is incumbent on us, it appears to me, to receive them courteously, and to give them such entertainment as our well-known hospitality requires. No one in this Congress is more in favor of doing that in the most liberal and hospitable way than I am. I will say to the gentleman from Illinois [Mr. MANN] that if he will content his soul in patience, I doubt not everything will ultimately be quite satisfactory to all concerned.

Mr. MANN. The gentleman misunderstands my position. I have been making an argument to keep the item in the bill. The gentleman evidently was listening to some one else.

Mr. SULZER. No. I was listening to the gentleman. We agree, and I say now that if this appropriation of \$10,000 is not sufficient I will do my part to make it more, so that we can receive and entertain the distinguished representatives in the most hospitable way. There is time enough for that. We desire more information, however.

The CHAIRMAN. Did the Chair understand the gentleman from Mississippi to withdraw his point of order?

Mr. Sisson. If I can have an assurance that the item will not be amended in the House so as to increase the amount of the appropriation, I will not object to it.

Mr. MANN. I will make this suggestion to the gentleman, if I may: We had a tuberculosis congress here a few years ago, which was a very large affair and did work of great value. We appropriated \$40,000 to provide a place for the meeting, and we did not consider that we were extravagant at that. That was done by unanimous consent, practically. That was in addition to the preparation of the exhibits and the other work necessary in connection with the Congress.

Mr. FOSTER. I do not know whether this would have any bearing upon the point of order or not, but I suggest to the Chair that we passed a resolution inviting this institute to hold its sessions in this country—I think in the city of Washington. Of course we did not, in that resolution, obligate ourselves, as I understand it, to any expense, but we did invite the delegates to meet in the city of Washington, and while I do not know and am not prepared to say whether that is an authorization by law, it occurs to me that there is some obligation in a moral way for us to do what other countries have always done in the way of providing the necessary expenses for this institute.

I want to say further in this connection that it has been 60 years since the International Institute of Hygiene and Demography has been held in the United States, and it is one of great importance, because scientists from all over the world will gather here at this meeting. If the Chair will indulge me, I remember that a few years ago we appropriated \$40,000 for the meeting of the Tuberculosis Society of the World, which held its meetings in the city of Washington, in the building which is now used by the National Museum and the Smithsonian Institution. The questions of hygiene and demography are of such vital importance to the people that I think our country will be highly honored and benefited to a great extent by having a meeting of men who have given their lives to the study of hygiene and vital statistics, and that it will be of immense value to our people; because the health of a nation is in large measure improved and maintained by proper sanitary conditions.

But we realize the fact that all over the country we have seen at times great epidemics of typhoid fever and other infectious and contagious diseases, so that this is of so much importance to the health and life of our people that I look for great results from this institute which is to be held in the city of Washington in the year 1912.

Mr. KENDALL. In December?

Mr. FOSTER. I think in September. I hope that this appropriation may be permitted to remain in the bill whether the resolution inviting this association to meet with us is an authorization for the appropriation or not.

The CHAIRMAN. Has the gentleman the language of the resolution?

Mr. FOSTER. I have not.

Mr. MANN. Mr. Chairman, I hope the gentleman will not make a point of order against this item.

Mr. Sisson. I would not make the point of order, but I understand that an amendment is going to be offered to the item that will increase the appropriation very materially.

Mr. Chairman, I will withdraw the point of order.

Mr. COVINGTON. Mr. Chairman, I want to make an additional statement in line with what the gentleman from Illinois has just said—that is, that Dr. Welch, of Johns Hopkins University, has stated to me personally that the expenses of this Congress will be in excess of the \$40,000 that the State Department recommended, and that a further sum will have to be provided in some other way to meet the necessary expenses of it.

The CHAIRMAN. The Chair understands the gentleman from Mississippi to withdraw his point of order.

Mr. Sisson. I understand that the amendment which was proposed will not be offered, and I withdraw my point of order.

Mr. WEDEMEYER. Mr. Chairman, in this connection I want to read a letter from a very prominent scientific man, living in my home city of Ann Arbor, Mich. This gentleman is the dean of the department of medicine and surgery in the University of Michigan. His letter is as follows:

UNIVERSITY OF MICHIGAN,
Ann Arbor, January 26, 1912.

Hon. W. W. WEDEMEYER,
House of Representatives, Washington, D. C.

DEAR MR. WEDEMEYER: The various nations of the world have been asked to participate in the International Congress on Hygiene and Demography, to be held in Washington next September. The invitation to these countries came from Congress, and was made by the Secretary of State. The congress was first recommended for 1910, but no appropriation having been made, it was postponed for two years. Now, the State Department has asked for an appropriation of \$40,000, and this is before the Committee on Foreign Affairs and also the Committee on Appropriations. May I ask you to interest yourself in this matter and see the chairmen of these committees? The appropriation asked for is very modest. The last of these hygienic congresses was held in Berlin, and cost something over \$100,000. The committee on organization will be compelled, even with this grant of \$40,000 from the Government, to go and beg for further subscriptions. The congress concerns itself with matters pertaining to health, and has proved itself to be of great service to the foreign countries in which it has been held. I hope you will take an interest in this matter and be kind enough to see the chairmen of the committees mentioned above.

With great respect, I am,
Yours, very truly,

V. C. VAUGHAN.

Mr. Chairman, I want to say that I deem this International Congress of Hygiene and Demography a very important meeting, one which considers matters affecting the health and welfare of all the people of our country. The importance of it should appeal to every Member of this House. [Applause.]

Mr. SULZER. Mr. Chairman, I move to amend, on page 18, line 26, before the word "year," by inserting the word "fiscal."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 18, line 26, insert the word "fiscal" before the word "year."

The amendment was agreed to.

Mr. CURLEY. Mr. Chairman, I move to amend by adding a new paragraph after line 6, on page 19.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Insert, after line 6, page 19, the following:

"That for the necessary expenses of the meeting in the United States of the International Congress of Chambers of Commerce and Commercial and Industrial Associations, including a tour by the foreign delegates of the principal commercial, industrial, agricultural, and social centers of the United States, for the purpose of acquainting them with our institutions and enterprises, \$50,000 be, and hereby is, appropriated."

"That the Secretary of State is hereby requested to ask the Governments of the commercial nations of the world to notify the leading business organizations of their respective countries of this action by the Congress of the United States of America and suggest their cooperation."

Mr. SULZER. Mr. Chairman, I reserve a point of order against the amendment.

Mr. CURLEY. Mr. Chairman, speaking to the point of order reserved by the chairman of the committee, I want to say that 100 members of the Boston Chamber of Commerce, at their own expense, visited the principal cities of Europe last year, and in no case was the expense of any of these gentlemen less than \$1,000 each. In the course of their travel it occurred to them that it might be possible to hold a similar convention in this country to the four that had been previously held in Europe. The idea met with general approval in our section, and some \$75,000 has been already subscribed by the chambers of commerce in Massachusetts.

The Boston Chamber of Commerce has communicated with various chambers of commerce throughout the entire country,

and all are in accord with this movement. Now, it is apparently the purpose of the majority in this House, and apparently is the sentiment of this country, that the time is rapidly coming, if it is not already here, when we must change our methods of doing business. If it is only possible for us to maintain a permanent working force in our manufacturing establishments for eight months in the year to meet the needs and requirements of the people of this country, it must be apparent to every man that our export trade must increase beyond the \$2,900,000,000 at the present time.

I contend, Mr. Chairman, that the best way to increase our export trade is to establish and maintain friendly relations with other Governments of the world, and there is no better way to impress upon the representatives of other countries the great resources of this country, the great opportunities that abound here for doing business with this country, than by bringing them here and having them meet the leading business men of this country and meet them in the right manner.

Now, Mr. Chairman, it is necessary that the same national recognition be given to this International Convention of Chambers of Commerce by the United States of America as has already been accorded by the various other foreign Governments. The value that may result from holding an international convention of this character, if it were only to apply to the possibilities for an increase of trade with our southern neighbors, is best attested by the statistics that are furnished of the trade with South American countries.

I presume my friend from Mississippi, and even my friend from New York, chairman of the committee, will insist on the point of order to rule this proposition out. But when you consider in a period of five years that the trade on the Pacific side of South America has increased 100 per cent, or from \$250,000,000 to \$500,000,000 of exports, and when you consider the tremendous exports to other sections of South America, that the bulk of that trade is controlled largely by England and Germany and results in large measure from the establishment of proper relations with them. In the fiscal year of 1910 the export trade in beef from Argentina was in the neighborhood of 265,000 tons, while in the same period of time the total exports of a similar character from this country was 55,000 tons.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURLEY. Mr. Chairman, when you consider the intense character of the competition that is being carried on by the various Governments of the world to develop trade and social relations, you get some idea of the value that may result in consequence of holding a convention of this character. I had occasion in the last month to read a South American paper from the Argentine Republic where the Government had subsidized the Vicers Shipbuilding Co. to the extent of \$5,000,000, giving them water rights, giving them land rights, in establishing a dry dock, on the simple condition that they would build a repair yard for shipping at Argentina. I have here a communication from our Chamber of Commerce at Boston, which reads:

MARCH 25, 1912.

Hon. JAMES M. CURLEY,
House of Representatives, Washington, D. C.

MY DEAR MR. CURLEY:

In the matter of the international congress, there have been four biennial congresses previously held in Europe, and at each one of those congresses there have been from 100 to 200 delegates specifically appointed by the Governments, therefore they were official representatives of the Governments. The balance of the delegates were the very biggest business men in the countries represented.

At London, in 1910, there were 500 delegates from 29 nations of the earth. We are inclosing the records of proceedings of the congress in London. Of course, the great basis of these congresses is to strengthen international good will in a most practical way, as business men certainly of the nations of the earth are opposed to war or friction.

Now, then, if it is our purpose not to continue to build battleships or destroyers, then we must do something to replace that which we fail to present, and the only way to my mind that we can replace it is by establishing international amity between the nations of the earth. [Applause.]

The letter continues:

There are scarcely any universal commercial practices between nations pertaining to postal affairs, commercial statistics, maritime affairs, regulations between banks of issue, consular invoices. Some of the topics that are likely to be discussed at this congress are cost of living, double taxation, business education, a staple international monetary standard, an international unit of exchange, and the establishment of a permanent international court of arbitral justice.

These great topics simply give you a hint of the tremendous importance of these congresses. The \$50,000 which we specifically ask is

for the cost of special compartment trains to take these delegates over as much of our country as lies within their physical possibilities. One hundred delegates to a train will cost \$20,000 to cover 10 cities. If we have 300 delegates, it will be \$60,000 to cover 10 cities, and already we are being importuned very strongly from the far West, the Southwest, and the South to include cities in those sections in our itinerary, so that the \$50,000 will not begin to cover the cost of the trains alone.

The merchants in each city which the delegates visit will furnish at their own expense all entertainment and official recognition of the delegates. The merchants of the city of Boston alone will contribute handsomely toward the entertainment of the delegates while in Boston. This amount can not, of course, be definitely stated, because it will depend wholly upon the number of delegates, but the merchants of Boston, besides entertaining at least the 300 foreign delegates, will entertain at their own expense probably 400 men from all parts of America, so that you can readily see that the men of Boston have got to go down very deep in their own pockets to provide entertainment for 700 or 800 delegates, foreign and American, during the five days of the congress in Boston.

It seems to me that with the printed material which we are sending you that the first strong argument for you on the floor of the House is that this appropriation carries with it the stamp of national recognition of the tremendous importance of these congresses, and when our National Government provides the transportation for these men from thirty-odd countries to see our country, to feel our hospitality, to study our institutions, to gain more direct and intimate knowledge of our resources, it certainly goes far toward impressing the men of these nations as to the greatness of the United States and the solicitude of our Government and our people to get into closer touch with the men of the world in all human relations.

I think it is conservative for you to make the statement that the business men of Boston will raise somewhere between \$50,000 and \$75,000 by private subscription, and that the city of Boston will contribute \$25,000. These figures, of course, you can use at your own discretion, but I can assure you that the men of Boston will contribute as handsomely for this project as the most open-minded man could possibly expect.

Very truly, yours,

GEORGE S. SMITH,
Chairman Executive Committee.

Mr. SULZER. Mr. Chairman, with all that my friend from the good old Bay State has said concerning this matter I am in substantial accord. I am in favor of the proposition. As an evidence of it, I will say that his colleague, the gentleman from Massachusetts [Mr. PETERS], introduced a bill to appropriate \$50,000 for the expenses of this International Congress of Chambers of Commerce. The Committee on Foreign Affairs promptly granted a hearing on that bill, and after the hearing the Committee on Foreign Affairs on my motion unanimously reported the bill and directed the gentleman from Massachusetts [Mr. CURLEY] to make the report. The report has been made, and the bill is now on the calendar. The gentleman can call it up at any time. The gentleman can put it on the Unanimous Consent Calendar. The gentleman can move to suspend the rules and pass the bill at any time. There is no good reason why the gentleman should ask us now to infringe the general rules of the House to put the item on this appropriation bill. It is out of order. It is a bad way to legislate. Hence I make the point of order. Let this bill come before the House for consideration in the regular and orderly way.

Mr. MANN. Mr. Chairman, I offer the following amendment. The Clerk read as follows:

Amend, page 19, after line 6, by inserting a new paragraph, as follows:

"To enable the Secretary of State to acquire in the City of Mexico, in Mexico, a site and building and to alter, repair, and furnish such building, such building to be either purchased or erected, as to the Secretary of State may seem best, for the use of the United States embassy to Mexico, both as a residence for the United States ambassador to Mexico and for the offices of the embassy, which site and building and alterations, repairs, and furnishing of such completed building shall not exceed in cost the sum hereby appropriated, \$100,000."

Mr. HAY. Mr. Chairman, I reserve a point of order.

Mr. MANN. I do not care to have the gentleman reserve it; I hope he will make it.

Mr. HAY. I will make the point of order.

Mr. MANN. Will the gentleman state his point of order?

Mr. HAY. I make the point of order that it is not authorized by existing law.

Mr. MANN. Mr. Chairman, by act of Congress approved February 17, 1911, it is made in order—explicitly provided for by act of Congress—and I send the act to the Chair.

Mr. SULZER. Mr. Chairman, there is no use taking up time discussing the point of order. This appropriation is authorized by law. I hope, however, it will not be ingrafted on this appropriation bill in this unconventional and precipitate way. If the gentleman from Illinois wants to know the reasons why I say this, I shall be very glad to state them.

Mr. MANN. Let us have the point of order determined first.

Mr. SULZER. Mr. Chairman, the amendment is in order. Congress has passed an act to acquire embassies and has said that not more than \$500,000 shall be appropriated in any one year.

Mr. MANN. Mr. Chairman, I also call the attention of the Chair to the fact that the Secretary of State has estimated for this building, and I send the estimate to the Chair. The act authorizes an appropriation for the purchase of embassy build-

ings abroad, or for the purchase of diplomatic and consular buildings abroad, not to exceed \$500,000 a year.

Mr. SULZER. I trust the point of order will be withdrawn.

Mr. HAY. Mr. Chairman, at the request of the gentleman from New York, I withdraw the point of order.

Mr. MANN. Mr. Chairman, I was in hopes that we could have a ruling upon the point of order. The estimate of the Secretary of State for this building was \$150,000. The amendment I offer is for \$100,000, which I am inclined to think is sufficient for the purchase of a building in the City of Mexico. It seems to me it would be a very gracious and a very politic thing just at this time to make an appropriation for this embassy building. For years in the discussion of the general proposition we have frequently stated upon the floor of the House, without special objection from anyone, that it would be desirable for us to have an embassy building in the City of Mexico, and that it might be desirable to have some buildings in China. The situation in Mexico is such that at present we should make this appropriation. It would be worth more in dollars and cents to the United States many times over what it would cost, and probably would be worth as much to the Government of Mexico. I do not desire to discuss the situation in Mexico, but if this provision does not go into this bill, it will not be made at all this year.

I suppose the gentleman from New York [Mr. SULZER] will say that he will have some other bill in which it may be taken up. I do not believe that the House would be willing to appropriate a half million dollars this year for the various buildings which have been estimated for. I think we can well afford to appropriate \$100,000 for this building, making that the limit of cost, instead of the \$150,000 which was suggested by the Secretary of State.

Mr. SULZER. Mr. Chairman, I am in sympathy with much that the gentleman from Illinois has said. The gentleman is correct in saying that Congress has authorized the purchase of embassies abroad, and that the act says that not more than \$500,000 shall be appropriated for their acquisition in any one year. In pursuance of that act, the Secretary of State has sent to the Congress a statement in which he suggests that one of the places where we shall purchase an embassy is the City of Mexico. The other places mentioned are Berne, Switzerland; Tokyo, Japan; and Hankow, China. The Committee on Foreign Affairs will give careful consideration to the recommendation of the State Department. The committee has already given the matter some attention. I can say that in a very short time I shall introduce a bill, and it will be carefully considered. Then the question will arise as to the places mentioned as the most feasible, and what it is going to cost to purchase a site in these different places. Then other questions in connection with the matter will naturally arise which should be very carefully considered before the committee reports legislation for the judgment of the House of Representatives. It is a mistake to do it in a hasty, haphazard way.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. SULZER. Yes.

Mr. LONGWORTH. Do I understand the gentleman to give assurance that such a bill will be reported and brought in on this floor?

Mr. SULZER. I shall soon introduce the bill, and I assure my friend I shall do everything in my power to expedite its report and the passage of the legislation. As the gentleman knows, I have always been in favor of it. For years I have been advocating the proposition on the floor of this House. My position is well known. I want to say, however, to the Members of the House that it is unfair and an injustice to the Committee on Foreign Affairs to engraft upon this appropriation bill an amendment such as the gentleman from Illinois now proposes, without consideration, without giving the committee an opportunity to deliberate and report to the House just what should be done. Be patient and you will be satisfied.

Mr. LONGWORTH. At what time was the letter written by the Secretary of State filed with the committee? How long has the committee been considering this?

Mr. SULZER. It came in recently.

Mr. MANN. On January 16.

Mr. SULZER. Yesterday we had the Acting Secretary of State, Mr. Wilson, before the committee, and this is one of the things that I discussed with him. I hope the amendment will not prevail.

Mr. SLAYDEN. Mr. Chairman, there are two statements of the distinguished gentleman who is the chairman of the committee that are a little hard to reconcile. He said for years he has championed such legislation as that which is proposed to be accomplished by the gentleman's amendment.

Mr. SULZER. Not at all. What I said, and I think I made myself clear, is that for years I have been in favor of the policy of this Government acquiring and owning and maintaining its own embassies. I voted for the bill which is the law now.

Mr. SLAYDEN. Yes; I understood the gentleman to say that, and I repeat that the gentleman said for years he had been in favor of having the Government acquire and own embassies, which is precisely what the amendment offered by the gentleman from Illinois proposes. That is all he proposes—to carry into operation what has been authorized by law, after long deliberation and prolonged discussion by this House.

The other statement of the gentleman that I can not reconcile with the first one is that he was having this matter rushed on him now without time for consideration. It is a perfectly simple proposition. It is perfectly well understood by this House. The discussion did go on for years, and finally, largely through the efforts of a former Member of this House, Mr. Lowden, of Illinois, supported by the gentleman from Ohio [Mr. LONGWORTH] and many others who have recognized the importance of doing such things, an authorization was made in the statute read by the gentleman from Illinois in response to the suggestion of the point of order made by the gentleman from Virginia [Mr. HAY]. The question is one of policy. Ought we to make the appropriation now? Can we afford, with a deficit in the Treasury and under existing circumstances, to adopt an amendment like that offered by the gentleman from Illinois?

Out of a very considerable experience and knowledge of conditions in the City of Mexico, I give it as my opinion that there is perhaps no place on earth, except it be in Asiatic countries, where an embassy is more needed than in the City of Mexico. I also give it as my opinion—and I am certain that I am right in this—that now for \$100,000 we can buy what under normal conditions would cost twice as much money to get in the City of Mexico. Can the Government of the United States afford to invest \$100,000 now for something which is confessedly needed, when it has the prospect of saving \$100,000 by doing so, or shall the Government wait? That is all. I have no desire to embarrass the chairman of the committee nor the members of the committee, but the policy is a proper one. The House has said so. The occasion is a good one. We can get property there now very cheaply. I recently had a letter from the ambassador—a personal letter—with reference to the matter, and he gave it as his opinion that the time was most opportune for the purchase of property for an embassy building.

That is all I have to say. I shall vote for the amendment offered by the gentleman from Illinois.

Mr. SULZER. Mr. Chairman, I differ with the gentleman from Texas who says that now is the opportune time to purchase an embassy in the City of Mexico on account of the disturbances existing there. From all I know this is an inopportune time.

Mr. MANN. Mr. Chairman, under normal conditions I should not have offered the amendment. The policy in reference to this was, in a way, not settled so as to bind this Congress, of course, but the policy of the country was, in a way, settled when the law was passed. I am not in favor of purchasing many embassy buildings abroad. I do not agree with some gentlemen who believe that we ought to own buildings wherever we have an agent or a representative, but it is absolutely true that there has been no time in the past for many years, and possibly there will be no time in the future for many years, when it was as possible to acquire an embassy building in Mexico City as it is now for various reasons, one of which has been given by the gentleman from Texas.

If this were a matter new to the House, I should not have proposed it. My distinguished friend from New York is new on the Committee on Foreign Affairs and has not given as much attention to this subject as he would have given if he had been a member of that committee longer. Yet in a general way he is well informed on the subject. It requires no additional information for us to know, in my judgment, that we ought to have an embassy building in the City of Mexico. If we are to have any anywhere on earth, that is the first place to get it.

Mr. SULZER. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. SULZER. Does the gentleman think we should legislate on an appropriation bill for the acquisition of these embassies?

Mr. MANN. I do not know what the gentleman is talking about, because I have not offered any provision in regard to legislation at all. I have offered an item of appropriation. My amendment is purely to appropriate money for this purpose.

Mr. SULZER. Would it not be better to do it in a separate bill, so the House can have an opportunity to discuss it?

Mr. MANN. Why, this is the place for it of all places. This is where the item belongs, in the diplomatic and consular appropriation bill.

Mr. SULZER. The Committee on Foreign Affairs differs with the gentleman from Illinois. We discussed the matter in the committee and concluded that we had better bring in a separate bill. That is all there is to that.

Mr. MANN. On a separate bill you will be sending it to the winds. It never will come any closer to the House than the window.

Mr. SULZER. Again I differ with the gentleman.

Mr. BURLESON. Will the gentleman permit a question?

Mr. MANN. Certainly.

Mr. BURLESON. I would like to ask the gentleman if he does not think the Committee on Foreign Affairs should be permitted to exercise the discretion as to where the purchases should be made rather than an individual Member on this floor should make that selection?

Mr. MANN. I am leaving it to this committee to determine. I have yet to learn that the Committee on Foreign Affairs is any bigger committee than the Committee of the Whole House on the state of the Union. [Applause.] The gentleman may have received the impression that one of the appropriation committees is bigger than the House itself. That is not the case.

Mr. BURLESON. It is not a question of whether or not the Committee of the Whole House on the state of the Union is bigger than the Committee on Foreign Affairs. The question I asked the gentleman is whether the Committee on Foreign Affairs ought not to be permitted to exercise the discretion in the selection of the places where these purchases are to be made. It may be that a more opportune occasion, a greater opportunity, for making an investment in China at this time is afforded than in Mexico, or in Turkey than in Mexico.

Mr. MANN. That may be, but the Committee on Foreign Affairs could not make a recommendation for an embassy building in China nor in Turkey. It is confined to items recommended by the Secretary of State, one of which has provided for an embassy in the City of Mexico and the other at Tokyo. It is far more important for us at this time to make a purchase of an embassy building in Mexico City than it is in Tokyo. I do not think there is any occasion now for us to purchase an embassy building in Tokyo. I suppose if the committee reports a separate bill it will contain all four items. I would not vote for it, but with the information which we have and which the gentleman from Texas knows better than I do in regard to Mexico, we ought to purchase an embassy building there, and I leave it to the Committee of the Whole House on the state of the Union to determine.

Mr. FITZGERALD. Mr. Chairman, the reason urged by the gentleman from Texas and the gentleman from Illinois for an authorization for the acquisition of this building at this time does not appeal to me. The reason given is that because of the peculiar conditions existing in the City of Mexico property can now be bought more cheaply than at some other time, or, in other words, that the United States should take advantage of the disturbed condition of affairs in a neighboring friendly country to enter into an advantageous real estate speculation. [Applause.] If there be anything that is not conformable to the dignity of this Nation it is that it should take advantage of disturbances in another country to acquire real estate below what would ordinarily be conceded to be its market value. If the United States is to acquire an embassy in the City of Mexico or any other city, I believe it should pay a reasonable and fair price for the property. I would not have the Congress keep its eye upon the conditions existing in various parts of the civilized world and single out those places where, because of internal disturbances, property rights become so insecure that it would be possible to purchase property offered at a sacrifice. [Applause.] The gentleman from Illinois is peculiarly anxious at this time, for various reasons not disclosed, to make this appropriation. It took 16 years for the Republican Congress to reach the point where it even enacted a statute authorizing the acquisition of embassies in foreign lands. During the Sixty-first Congress \$80,000,000 authorizations were passed over to this Congress to be met with appropriations. The gentleman from Illinois is solicitous to have the Congress appropriate the money to carry out those authorizations and thus keep our total expenditures up to the unjustifiable limit reached by his party when it was in control of the Congress. [Applause on the Democratic side.] It seems to me that there is no urgent necessity for this particular appropriation. It would be most inappropriate at this time. It seems to me that the committee is entitled to something more than the offhand opinion of any Member of this House as to what would be a proper sum to expend for the building, for the furnishings of the building, for the equipment of the building in Mexico City. Some investigation disclosing something more than the information gentlemen volunteer upon the floor as to such matters should be had, so that the com-

mittee may act upon its best judgment in determining this question. I hope that the amendment will not prevail.

Mr. LONGWORTH. Mr. Chairman, just a word. The object, the avowed object, of the law which was recently sent to the desk of the Chair by the gentleman from Illinois [Mr. MANN] was to make in order, at any time during the consideration of the diplomatic and consular appropriation bill, an appropriation for the purpose of acquiring embassies, legations, and consulates in foreign countries.

Mr. SULZER. The amendment proposed by the gentleman from Illinois is to appropriate \$100,000 for the acquisition of an embassy site in the City of Mexico.

Mr. LONGWORTH. I say that the object was to make it in order, as the gentleman has admitted it is now in order, to make the appropriation in this bill. Now, if the gentleman from New York [Mr. SULZER] would assure me that the Committee on Foreign Affairs would bring in at this session of Congress a bill to comply with the recommendations of the Secretary of State, made to the Secretary of the Treasury according to this law, I would be willing to vote against the amendment of the gentleman from Illinois.

But the gentleman from New York gives us no such assurance.

We have now before us an opportunity to provide an embassy in the City of Mexico. More than two-thirds of this House last year voted in favor of the bill making such legislation in order. A unanimous vote, as I remember, was recorded on that bill in the Senate. It is not as if this were a matter of taking snap judgment, Mr. Chairman. This report of the Secretary of State was filed three months ago. Every one of us has had an opportunity to see it. It recommended the acquisition, for \$150,000, of a site in the City of Mexico.

I do not think that it is any derogation of the authority of this committee to take this opportunity to vote for a proposition which has been recommended by the State Department. I see no reason why those of us who now favor the acquisition of land and buildings in other countries for embassies and legations should not support the amendment of the gentleman from Illinois.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

Mr. SULZER. Mr. Chairman, just a word in reply to the gentleman from Ohio and that is to say that I am preparing a bill to do the very thing to which the gentleman refers. I hope to introduce the bill in the House in a few days. The Committee on Foreign Affairs will give hearings on the bill, and we shall be glad to hear the gentleman and have him support the bill.

Mr. LONGWORTH. I will support the gentleman's bill when it comes in.

Mr. SULZER. It is in process of preparation now. I am in consultation with the officials of the State Department. I have received letters from a number of distinguished gentlemen throughout the country who desire to be heard on the proposition. Some of them agree with the State Department as to where we should buy these embassies, and some of them do not. As a matter of courtesy to these people who desire an opportunity to present their views to the committee, and through the committee to the Congress, I think it is only fair that the committee should have an opportunity to legislate properly and intelligently on the subject matter.

Mr. LONGWORTH. It is not a question of legislation, if the gentleman from New York will pardon me.

Mr. SULZER. Oh, an appropriation is legislation—especially one to buy an embassy site.

Mr. LONGWORTH. It is now before us.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the Chairman announced that the "noes" seemed to have it.

Mr. MANN. I ask for a division, Mr. Chairman.

The committee divided; and there were—ayes 38, noes 58.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SALARIES, CONSULAR SERVICE.

For salaries of consuls general and consuls, as provided in the act approved May 11, 1908, entitled "An act to amend an act entitled 'An act to provide for the reorganization of the Consular Service of the United States,' approved April 5, 1906," and amendments thereto, as follows: Consuls general, \$303,000; consuls, \$734,000; in all, \$1,037,000.

Mr. SLAYDEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I make that pro forma motion merely for the purpose of submitting a few observations on what appears to be an eccentric manner of fixing the salaries of consuls. I do not know upon what theory these salaries were fixed, whether the amount of commerce between the territory represented by

the consul or consul general and this country was the basis or not, or how it may have been done; but it is irregular, and my attention has been drawn to the fact that it does not appear to have been done always with perfect justice or a proper regard for the responsibilities and importance of some of the offices.

Now, I observe that the salary of the consul general at Monterey, Mexico, a post which takes in nearly all of northern Mexico, is fixed at \$3,500. That consul general represents a territory that does an enormous trade with the United States, a trade which is constantly expanding. He has to travel about a lot. He has to supervise an enormous district. If the compensation fixed for gentlemen occupying the same rank in the Consular Service in other places is proper, then he is underpaid.

Now, I want to ask a comparison with the salary paid to the consul general at Cape Town, South Africa, for example, at the Cape of Good Hope. I regret to say that I am not familiar with the volume of trade between this country and the British possessions in South Africa, but the consul general at Cape Town receives an annual compensation of \$6,000, as against \$3,500 for the consul general at Monterey. At Guayaquil, Ecuador, the consul general receives \$1,000 a year more than the consul general at Monterey, or \$4,500. Mr. Chairman, I am convinced that the volume of trade represented by the consul general at Guayaquil can not equal in importance, or in any way approach in importance, that between northern Mexico and the United States.

Another consul general receiving precisely the same compensation is the officer at Montevideo, Uruguay, whose salary, as I have stated, is precisely \$3,500. Now, the trade between this country and Uruguay is not important. The consul general at Port au Prince, Haiti, where there have been frequent disturbances and little trade recently, receives the same compensation, \$3,500. I am not prepared to offer, after the rebuke that we have just received for undertaking to change this bill in some slight particulars, an amendment adjusting these salaries, but I do think, in the interest of gentlemen who are in the Consular Service, who are doing a great deal of work and who represent a large territory and supervise, so far as a consul or consul general supervises the trade at all, an immense trade, that they ought to be better compensated than is the consul general at Monterey and some others who appear in the bill.

I withdraw my pro forma amendment, Mr. Chairman.

The Clerk resumed and completed the reading of the bill.

Mr. SULZER. Mr. Chairman, I ask unanimous consent that the Clerk be authorized to change the totals of the bill to conform to the amendments which have been adopted.

The CHAIRMAN. The gentleman from New York asks unanimous consent to change the totals in the bill. Is there objection?

There was no objection.

Mr. SULZER. Mr. Chairman, I move that the committee do now arise and report the bill to the House with the amendments and with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SIMS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 19212) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1913, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put the amendments in gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. SULZER, a motion to reconsider the last vote was laid on the table.

Mr. SISSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. GOODWIN of Arkansas indefinitely, on account of sickness in his family.

TAX ON WHITE PHOSPHORUS MATCHES.

Mr. HUGHES of New Jersey. Mr. Speaker, by direction of the Committee on Ways and Means I move that the House do now resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R.

20842) to provide for a tax upon white phosphorus matches, and for other purposes. Pending that, Mr. Speaker, I ask unanimous consent that general debate upon this bill be limited to one hour and a half.

Mr. UNDERWOOD. One hour.

Mr. HUGHES of New Jersey. I would rather have one hour than one hour and a half. I have no disposition to cut off general debate, but I am very anxious to get the bill passed to-night if I can.

Mr. MANN. I do not see how we can possibly do that.

Mr. GARNER. It is an hour and a half until 5 o'clock.

Mr. MANN. The bill is quite long, and there will be several amendments to it.

Mr. HUGHES of New Jersey. I do not think there will be any objection to the amendments or any great necessity for debating them. I think the time will be largely consumed by some gentlemen who desire to speak in favor of the bill and some who will speak against it. It seems to me the actual merits of the bill will not take very long.

Mr. MANN. I suppose the wool bill will follow this.

Mr. UNDERWOOD. I desire to take up the wool bill to-morrow. There are a great many gentlemen who want to know when it will come up, and it is a matter of more importance than this bill. I am perfectly willing that the gentleman from New Jersey [Mr. HUGHES] shall call up this bill and conclude it this evening.

Mr. HUGHES of New Jersey. I am perfectly willing to make an agreement to vote upon this bill at a fixed hour to-night, say 6 o'clock. I should be delighted to make that kind of an arrangement.

Mr. MANN. How long does the gentleman think he will want on the wool bill?

Mr. UNDERWOOD. I wanted the debate to run to-morrow and the next day, two days' full debate on the bill.

Mr. MANN. Will the gentleman have the bill up for passage Saturday?

Mr. UNDERWOOD. I did not expect to try to pass the bill on Saturday. I thought if we could get started on it to-morrow morning and have two full days' general debate, and then postpone the business of Monday until Tuesday, we could take up the consideration of the wool bill on Monday under the five-minute rule.

Mr. PAYNE. I think it will take three days to satisfy gentlemen who desire to speak. There is a great deal of demand for time, and most of those who have requested it ought to have the opportunity to speak.

Mr. UNDERWOOD. If we can make an arrangement, as we did on the excise-tax bill, for a limit of the debate under the five-minute rule, we might run the general debate into Monday. What I am anxious to do is to take up the wool bill to-morrow and to pass it not later than Monday next.

Mr. GARNER. And conclude it Monday night.

Mr. UNDERWOOD. I should like to see the consideration of the pending bill disposed of to-day. I will state that I am not for this bill providing a tax on white phosphorus matches. It comes from my committee, but I am not in favor of it. I am perfectly willing that the House should act upon it this afternoon. I do not care to delay it. I have no serious objection to the machinery of the bill. My objection is to its purpose.

Mr. HUGHES of New Jersey. The gentleman is opposed to the principle of the bill, but, as he says, there is no objection to the machinery of it. The gentleman from Illinois [Mr. MANN] has suggested some amendments, which, in my judgment, improve the bill. I am perfectly willing that they should be adopted, and the other members of the committee are willing to accept those amendments. There should be little or no debate upon the administrative features of the bill.

Mr. MANN. If it is the expectation to pass the bill to-night, it seems to me we had better make the general debate shorter than the time suggested by the gentleman from New Jersey.

Mr. HUGHES of New Jersey. I will ask unanimous consent that we start to consider the bill under the five-minute rule now.

Mr. GARNER. That will be satisfactory, and then if gentlemen have not sufficient time they can have their time extended if necessary.

Mr. UNDERWOOD. That is satisfactory. I may want 10 or 15 minutes, but I will trust the House to grant me that privilege. I am perfectly willing for the gentleman to ask unanimous consent that there shall be no general debate and to take the bill up immediately under the five-minute rule.

Mr. MANN. Let the gentleman ask unanimous consent that immediately after going into Committee of the Whole the bill shall be read for amendment.

Mr. HUGHES of New Jersey. Mr. Speaker, I ask unanimous consent that immediately on going into Committee of the Whole

House on the state of the Union for the consideration of the bill the bill shall be read for amendment.

The SPEAKER. The gentleman from New Jersey moves that the House resolve itself into Committee of the Whole House on the state of the Union to consider the bill H. R. 20842, and pending that he asks unanimous consent that immediately upon going into Committee of the Whole House on the state of the Union the bill shall be read for amendment. Is there objection? [After a pause.] The Chair hears none.

The motion of Mr. HUGHES of New Jersey was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. Flood of Virginia in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 20842) to provide for a tax upon white phosphorus matches, and for other purposes.

The CHAIRMAN. Under the agreement of the House, the bill is to be read for amendment.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. TAYLOR of Colorado having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to joint resolution (H. J. Res. 232) extending the operation of the act for the control and regulation of the waters of Niagara River, for the preservation of Niagara Falls, and for other purposes.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 3686) authorizing the Secretary of the Interior to permit the Missouri, Kansas & Texas Coal Co. and the Eastern Coal & Mining Co. to exchange certain lands embraced within their existing coal leases in the Choctaw and Chickasaw Nation for other lands within said nation.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 3367) to amend section 2291 and section 2297 of the Revised Statutes of the United States, relating to homesteads, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SMOOT, Mr. JONES, and Mr. CHAMBERLAIN to be the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 263. Joint resolution to authorize allotments to Indians of the Fort Berthold Indian Reservation, N. Dak., of lands valuable for coal.

TAX ON WHITE PHOSPHORUS MATCHES.

The committee resumed its session.

The Clerk read as follows:

SEC. 2. That every manufacturer of matches shall register with the collector of the district his name or style, place of manufactory, and the place where such business is to be carried on; and a failure to register as herein provided and required shall subject such person to a penalty of not more than \$500. Every manufacturer of matches shall file with the collector of internal revenue of the district in which his manufactory is located such notices, inventories, and bonds, shall keep such books and render such returns in relation to the business, shall put up such signs and affix such number to his factory, and conduct his business under such surveillance of officers and agents as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may, by regulation, require. The bond required of such manufacturer shall be with sureties satisfactory to the collector of internal revenue and in the penal sum of not less than \$1,000; and the sum of said bond may be increased from time to time and additional sureties required at the discretion of the collector or under instructions of the Commissioner of Internal Revenue.

Mr. MANN. Mr. Chairman, I move to amend, page 1, line 8, by inserting, before the word "matches," the words "white phosphorus," so that it will read "every manufacturer of white phosphorus matches shall register," and so forth.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 8, insert after the word "of" the words "white phosphorus."

Mr. MANN. Mr. Chairman, the reason I offer the amendment is because I am very clearly of the opinion that without that amendment the bill would be unconstitutional. The only tax levied by this bill is for the white phosphorus matches. I do not think that would give sufficient warrant to require anybody who was manufacturing matches that were not taxed to come under the control of the United States Government and register with the collector.

Mr. HUGHES of New Jersey. Mr. Chairman, I desire to say that that amendment is entirely acceptable to me.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

Mr. MANN. Now, I move, on page 2, line 3, to insert the words "white phosphorus" before the word "matches."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 3, insert before the word "matches" the words "white phosphorus."

The amendment was considered and agreed to.

Mr. HUGHES of New Jersey. Mr. Chairman, I desire to offer an amendment. On page 1, line 9, after the word "collector," insert the words "internal revenue."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 1, line 9, after the word "collector," insert the words "internal revenue."

Mr. BARTLETT. Mr. Chairman, I would like to ask the gentleman if that means collector of internal revenue of the district where the manufacturer resides, or where any collector resides.

Mr. HUGHES of New Jersey. Where the manufacturer is located. I do not think the amendment is important, but it makes it more clear.

Mr. BARTLETT. Mr. Chairman, I oppose this amendment simply for the purpose of registering my opposition to this bill and this kind of legislation. I know that a great deal of insistence has been made and effort exerted to have Congress enact legislation of this kind. I apprehend that it will not be denied that the effect of this bill and the tax imposed by the bill are to destroy the industry of making white phosphorus matches. I have read a good many articles and communications as to the injurious effects on people laboring in factories where these matches are made. This bill is an effort to exercise the powerful taxing power of the Government, ostensibly to raise revenue, which is the only basis on which the Government can exercise the power of taxation, ostensibly to raise revenue, when the real purpose of the bill is not to raise revenue, but to reach some other end and accomplish some other purpose; in this instance, to destroy the industry altogether.

The Supreme Court of the United States in a number of cases in construing tax laws has said that where it was not apparent on the face of the bill that Congress did not intend to raise revenue by the bill, but expressed the purpose to be one to raise revenue, that they would not be authorized to say that it was not intended to raise revenue, although the effect was to destroy the production of the thing taxed. The power to tax in this instance is being used as a power to destroy the manufacture of this class of merchandise and will not raise any revenue.

Mr. COOPER. Will the gentleman yield?

Mr. BARTLETT. With pleasure, always.

Mr. COOPER. The gentleman is aware that Congress passed a law putting a 10 per cent tax on State bank issues?

Mr. BARTLETT. Yes; I was going to discuss that.

Mr. COOPER. The effect of that, of course, was to destroy the issue of State banks.

Mr. BARTLETT. Yes; in the case of Fenno against The Bank, in Eighth Wallace, the Supreme Court declared that they were not authorized to say that the tax was imposed not for the purpose of raising revenue, but for the purpose of destroying the issue of State banks. It had on its face the ostensible purpose of raising revenue and not to destroy the power of the State banks to issue currency. The court also upheld the act as being the exercise of the right of Congress to protect the national banks, which were agents of the Government in issuing currency, from competition by the State banks. The law did destroy the power of the State banks to issue notes, because no State bank could pay the tax imposed, and therefore the result was to destroy it. But the bill ostensibly was for the purpose of raising revenue, and I apprehend that this bill is for the same purpose, otherwise authority in the Constitution could not be found for its enactment.

As far as I am concerned I have never had a suggestion made to me relative to this legislation except by the advocates of the bill. No such industry as this exists in my section, and I do not even know where the matches are manufactured. I have not given the details of the bill careful consideration. I simply rise to voice, it may be, a futile and feeble opposition to this kind of legislation. If the manufacture of this class of merchandise in the State is so injurious to the health of those employed in the factories, then what has become of those whose duty it is to protect the employee in the State, what has become of the great police powers of the State, which were never surrendered and which by specific amendment to the Constitution

were reserved to the States, by which they may protect the health, the morals, and the general welfare of the community? I know that in this day and age we have made rapid strides toward the centralization of all governmental power in Washington. I know that the old-fashioned idea of a government founded by our fathers, with its representative form, with its divisions of power into the executive, the legislative, and the judicial, has been attacked, but, Mr. Chairman, I live in the hope from recent signs that the American people have not altogether lost all sanity upon that subject.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARTLETT. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BURLESON. Mr. Chairman, will the gentleman yield?

Mr. BARTLETT. Yes.

Mr. BURLESON. I would like the gentleman to state what has always been the position of the Democratic Party with reference to this character of use of the taxing power.

Mr. BARTLETT. Mr. Chairman, I think I know something about Democracy. My idea may be a little old-fashioned. It may not be radical. It may not be very progressive, but I will stop long enough to say that, in my judgment, if the Democratic Party is to continue to succeed it must follow the ancient principles of Democracy and put its feet in the ancient ways of the fathers and follow onward to success, and not follow the ignis fatuus that sometimes looms up, which will lead us into disaster and defeat. [Applause.]

Mr. Chairman, Democratic doctrine, as I understand it, is that the power to tax can be used only for the purpose of raising revenue for the Government, economically administered. The Democratic Party has been in the past, ought to be in the present, and should be at all times opposed to pretexts and shams like this, which proposes, under the use of the great power of the Government, to tax, not because it needs revenue to accomplish some purpose which ought to be accomplished under an exercise of the police powers of the State and not the taxing power of the Federal Government. I have as much sympathy as anyone else for the misfortune that befalls people who are compelled to work in dangerous employment. I would protect them by law from injury. I would surround those who are compelled to work in dangerous employment in this country with all sorts of safeguards, and in the domain of Federal jurisdiction, so far as we have the power in the matter of regulating interstate commerce, I would also safeguard from danger the health of those who must labor.

But it is a far cry from regulating interstate commerce or taxing people engaged in legitimate business for revenue to call into action powers granted to Congress in the exercise of its taxing power or in the exercise of its power over commerce in order to prescribe a law which is simply intended to reach conditions which affect the health, happiness, or general welfare of the people in the local communities in the States, over which communities and conditions the State has ample and supreme power. I understand that this may be old-fashioned. I understand that the modern idea is that whatever the people want we should give to them, whether it is to tax business out of existence or to reverse the judgments of courts at the behest and by the vote of the mob. I do not believe that this is wise legislation. I do not believe that representatives should be hurried or forced from their convictions, that Congress ought to exercise this sort of power by holding up before the eyes of the Members of Congress the results of a dreadful disease contracted by people engaged in this business. That is the usual way. It is the same strong argument that Anthony used over the dead body of Caesar.

The people were shouting for Brutus one minute, and he then pointed them to the bloody garments of Caesar, to the places in them through which the daggers of the assassins struck their blows, and through which the blood of the great Caesar flowed. In the sight of that, they forgot everything, and while the moment before they were shouting for Brutus, in the next moment, in answer to Anthony's suggestion, they demanded his death. The States should be left to discharge their duties of protecting the people in cases like this.

Referring to the doctrine to which my friend from Wisconsin [Mr. COOPER] called my attention in the bank cases, it is the same doctrine as in the oleomargarine case—

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BARTLETT. Mr. Chairman, I had not anticipated that this question was coming up. It is so in the oleomargarine case, and the Supreme Court said, although it appeared from the debates in this House that the advocates of the oleomargarine tax intended it for the purpose of destroying the manufacture of oleomargarine, although it was for the purpose of putting manufacturers of colored oleomargarine out of business, yet if it did not appear on the face of the bill that such was the purpose of the bill, if the bill ostensibly was simply a use of the taxing power of the General Government to raise revenue, then the court would not say that it was an illegitimate and unconstitutional use of the power of Congress. There is this difference, I desire to say: In taxing the issue of State-bank notes the Supreme Court also sustained that law upon the idea that the national bank was one of the agencies of the Government; that it issued the currency of the Government, and the Government had the right to protect its own fiscal agents from competition by the State banks. That was one of the reasons why they sustained that law. They sustained the power of Congress to levy a tax for revenue, although the effect of the tax was to destroy the business which was taxed. There is no question about that. This bill may be constitutional. I do not know. I have never read it carefully enough to express an opinion upon that feature, and I do not undertake to express it without having carefully read the bill. I would be glad at all times to vote for any measure which sought to relieve human suffering or to better human conditions, especially the conditions of those who have to labor and toil for their living under adverse circumstances. I would be glad to vote for any measure which would take away from the laborer the opportunity to contract disease because of working in a factory such as is said to be in the case of these men who work in the manufacture of this class of matches. But if this is a legitimate industry, if the manufacturer of phosphorus matches is not inhibited by law, what power have we, and if we have the power, why should we exercise the policy of destroying an industry of this kind simply because we have not yet been able to discover some means by which men who work may not become sick and incapacitated by a disease. Are we to gather from all over this vast country the men who become sick or diseased from labor, a vast list, not to protect them in their work, but to destroy the property which the people have the right to make and the business which they have the right to carry on? I repeat that I have no interest in this measure, but I simply wanted to voice my opposition to it as being an improper exercise of the power of the Congress and a false pretense of the use of the taxing power. [Applause.]

Mr. LAFFERTY. Mr. Chairman, I favor this bill because I place humanity, even though clothed in overalls or calico, so far above the dollar that there is absolutely no comparison. [Applause.]

The people of my district know where I stand upon most questions. If they feel that my services will be of value to them in the future they will be more than welcome to them. But I want my colleagues here, as well as my constituents, to know that I never have, and do not now, seek any office for the mere sake of holding it. Unless I can be of service in my present position I do not want to hold it.

The pending bill taxes white phosphorus matches so high that they will no longer be manufactured. That is right. It has been shown to this House that they are poisonous. They are dangerous to laborers who work in the factory. It has been shown that they produce "phossy jaw," which is a very loathsome disease, being a rotting of the bones of the face. Congress certainly should protect those who, either through ignorance or poverty, accept employment from greedy manufacturers who use white phosphorus in the making of matches simply because it is cheaper than a safe compound.

I am against dishonest greed in whatever form it manifests itself. That is my platform on all matters of legislation.

When I first came to Congress I could not conceive how a patriotic body like this could continue to delay in the passage of a law giving the Interstate Commerce Commission the power to fix rates based upon physical valuations. But I have learned a few things that ought to be humiliating to every American citizen. Big business, so called, is swaggering around this Capitol and throughout the country, attempting to control politics and legislation. It attempts, first, to cajole Members of this body, and failing in that it seeks to intimidate them and make them fear the results of its power in the next succeeding election.

I might be alarmed myself if I was so distrustful of the intelligence and courage of my constituents as to believe that they could be stampeded with a weapon made up of a corn cob with a lightning bug on the end of it. The artillery of the

interest-serving newspapers fighting me is just about of that caliber.

In this House I have stood for exactly what I promised in my campaign for election. If I am advocating wrong governmental policies, the people of my district are responsible, and I think they are willing to accept that responsibility. I have introduced LA FOLLETTE's appraisal bill here, and have made speeches for it. I exposed the Oregon & California Railroad land-grant steal, asking this body to wake up the slumbering litigation pending at Portland in reference to it, and to see to it that no further delays are tolerated.

I have not flinched, and I do not propose to flinch. If I give up the fight, the bugle will have to sound the retreat from the rear.

The people of this country are paying dividends upon billions of dollars of overcapitalization. No one denies it. Yet no remedy is forthcoming. Why? Big business in politics.

Oregon has taken the initiative in leading the country out of this big business bondage. Oregon gave us the direct primary, statement 1, the initiative and referendum and recall, and last but not least the presidential preference law.

Last year in Oregon the old guard made its last stand when it held an assembly. In that fight I was elected to this body. It is my hope and ambition to make good and prove the wisdom of the Oregon system. The same crowd that held that assembly are now backing my principal opponent. They belittle my fight for the people, and promise for their candidate "action, not words." If they can explain to me how they can get action in this body without words, I will subscribe to their slogan.

A public-service commission in each State and a national public-service commission are needed to control monopolies. These commissions should be given power by law to fix rates and prices of monopolies based upon physical valuations. When this is done every man who works for a living, either at his trade or profession, will be able to buy with the money he takes in a good living for himself and family. He will be able to take a vacation of at least 30 days each year. He will be able to educate his children. He will be able to lay by a little for his old age. This legislation should be followed by an eight-hour law for men and women in every State in the Union.

In conclusion, permit me to say that ROBERT MARION LA FOLLETTE represents my ideals of fair and honest government. [Applause.] A few weeks ago it was reported that LA FOLLETTE was no longer available as a candidate this year because he was broken in health after his 20 years' fight for the people. I then said to myself that ROBERT LA FOLLETTE would get one vote if I got to the polls in Portland on primary election day, April 19. [Applause.]

To-day I received a copy of the Daily News of Portland, which is the brightest and cleanest daily in that city, containing an editorial upon LA FOLLETTE entitled "Alone with the people," which is so expressive of the movement that I think it is going to place the millions of good citizens of this country in charge of their own Government that I quote the same here:

ALONE WITH THE PEOPLE.

The battle of the politicians, the songs of the hero worshipers, the plaudits of the job holders, the mumble of the money changers, was hushed. They paused to hear the voice of the plain people expressed for the first time in the first presidential primary.

"North Dakota," called Uncle Sam on the roll call. Will she answer "Taft" or "Teddy"? asked the country.

"North Dakota," repeated Uncle Sam. Then came a roar out of the heart of the prairie, out of the free land at the foot of the Rockies, out of the untainted air of the great West.

"ROBERT MARION LA FOLLETTE."

[Applause.]

What LA FOLLETTE? BOB LA FOLLETTE, the man who stood alone when the "progressive" leaders of State after State turned and fled, and deserted him in the hour of his weakness and misfortune. What LA FOLLETTE? The man who refused to surrender to the argument of his dearest friends or the threats of ancient enemies, the man who lifted himself from a bed of sickness to lead a charge in the name of the common people. What LA FOLLETTE? The man who knows what he believes and why he believes it, who fights for his convictions regardless of consequences, who won't retract, equivocate, or deceive, the one man Big Business is really afraid of because it can not buy him, scare him, nor answer him. LA FOLLETTE, deserted but not dismayed, fighting single handed and alone, sustained only by the cheers and mountainous majorities of the plain people.

They said he was "alone."

The worshipers of success, the men who sold the moment above the principle, said he was "alone."

Aye—alone with the people.

[Applause.]

The CHAIRMAN. The time of the gentleman from Oregon has expired.

Mr. LAFFERTY. Mr. Chairman, I ask leave to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon? [After a pause.] The Chair hears none.

Mr. SAUNDERS. Mr. Chairman, the purpose of this bill is to tax white phosphorus matches. I can not agree with the gentleman from Georgia, either, that there is any lack of constitutional authority on the part of Congress to enact this law, or that any question of party consistency is involved in its support. But it is more important to be finally right, than to be consistent in error.

Mr. BARTLETT. I did not say there was any lack of power.

Mr. SAUNDERS. I will discuss the question of power in a moment. One feature, I may say purpose, of this law, is highly humanitarian, and I observe that there is no gentleman on the floor who will take issue with the friends of the measure on that ground, or challenge the statement that its passage will bring hope and relief to thousands of match workers, male and female, who are subject at all times to the dangers of phosphorus necrosis, a most insidious and loathsome disease. The opposition takes refuge behind the doctrine of State rights, and charges that in some way this measure will come in conflict, or collision, with the police power of the States. There is no such conflict, Mr. Chairman. There will be no such collision. There is no interference or infringement sought, or intended, on the part of this body, with the exercise of any portion of the police power by the several States of this Union. The taxing power is in no sense the police power. We set in motion the one, the States the other. Within the sphere of our own paramount authority, we are dealing in our own way, with a present problem, and a present evil. The first question that presents itself for our consideration, and initial determination, is whether this body shall decline to act on a great humanitarian measure like this, when the States either will not act, or fail to act, or their action, unless it is universal and uniform, will not meet the evil.

Shall the inaction of others, justify our own? Shall this body disregard the call of suffering humanity, when the exercise of our constitutional power, will eliminate from industrial use a poisonous, and unnecessary element? [Applause.]

This is the proposition that presents itself to us to-day. I wish to say to those gentlemen who have suggested that we can not pass this bill in good faith, or frankly avow its humanitarian purpose, that they are mistaken in that opinion. We might write across the face of the pending measure that one of its purposes was to inhibit the use of white phosphorus in the preparation of safety matches, and yet that declaration would not cause the Supreme Court to interfere with this act, or declare the same to be unconstitutional.

The celebrated oleomargarine case sustained an enactment similar to this, on several grounds. Speaking broadly, the court declared that when Congress exercises a lawful authority, the judicial power will not undertake to correct an abuse of that authority, even when subjects not within the powers delegated to Congress, are indirectly affected. The courts will not pry into the motives of Congress when laying a constitutional excise tax. But the court went further. In the concluding paragraph of its opinion, (White, judge. *McCray v. United States*, 195, V. S. p. 64), the court declared that while it would interfere with an act of Congress, if it was plain to the judicial mind that the power to tax had been called into play, not to raise revenue, but solely to destroy rights which could not be rightfully destroyed, consistently with the principles of freedom and justice upon which the Constitution rests, yet this reserved power would not be exercised in the oleomargarine case, for the reason that the manufacture of artificially colored oleomargarine could be prohibited by a free government, without a violation of the fundamental rights upon which such a government should rest. [Applause.]

If the statement that the manufacture of artificially colored oleomargarine involves no fundamental natural right, is true as to oleomargarine, how much the more positively may a like statement be made of the use of white phosphorus, a material which can not be used, however guardedly, without endangering health and life. The desire to use this element in the manufacture of matches, finds its origin in human greed, which is ever reckless of human life, and human happiness. It is cheaper to make matches with white phosphorus than with other materials. Hence its use. But to forbid this use is not a violation of fundamental rights by a free government. *McCray v. United States*, and the antecedent cases, amply sustain the contention that a prohibitory tax on white phosphorus will be sustained by the courts. It is further true, upon the authority of the *McCray* case, that with reference to this particular material of white phosphorus, and its industrial use, a frank avowal in terms, of our purpose to prohibit such use, would not affect this statute with unconstitutionality. So that if we have the will to act, we undoubtedly possess the power. Nor is it needful to gloss over, or conceal our motive. Fully, freely, and frankly I for one announce that the human appeal in this situation impels me to support this measure. I glory in the

fact that we can use our constitutional authority in aid of suffering humanity.

Mr. BARTLETT. May I ask the gentleman a question? I understood the gentleman to say that Congress would have the right to prohibit the manufacture of these white phosphorus matches.

Mr. SAUNDERS. I said in substance that if we wrote across the face of this statute that it was intended in part to prohibit the use of white phosphorus in the manufacture of safety matches, the Supreme Court under its decision in the *McCray* case, would not interfere with its operation, or declare it to be invalid. The general principle is stated in the oleomargarine case as follows:

Since, as pointed out in all the decisions referred to, the taxing power conferred by the Constitution knows no limits except those expressly stated in that instrument, it must follow that if a tax be within the lawful power, the exertion of that power may not be judicially restrained because of the results to follow from its exercise. (*McCray v. United States*, 195 U. S., p. 27.)

Mr. BARTLETT. I so understood the gentleman, but I did not ask the question.

Mr. SAUNDERS. I undertook to answer the gentleman's question as I understood it and my answer is in conformity with the *McCray* case.

Mr. BARTLETT. I do not want to interrupt the gentleman, but—

Mr. SAUNDERS. It does not interrupt me at all. I yield with pleasure.

Mr. BARTLETT. The gentleman just stated, when I rose, that it was our duty to prohibit the manufacture of matches like these, which injured the health of the people, and so forth.

Mr. SAUNDERS. I say that it is our moral duty.

Mr. BARTLETT. What power has Congress to prohibit that sort of business?

Mr. SAUNDERS. I did not say that the Federal Government could directly prohibit it. I did not make that statement, nor is that the statement of the Supreme Court. I stated that in the oleomargarine case the court announced in substance, that even if it was aware that the intention of the lawmaking body was to prohibit the manufacture of artificially colored oleomargarine, it would not interfere, because the manufacture of colored oleomargarine was something that a free government, to use its own language, could prohibit without a violation of fundamental rights, without an invasion of that freedom and justice upon which a free government reposes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUGHES of New Jersey. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended five minutes.

The CHAIRMAN. The gentleman from New Jersey [Mr. HUGHES] asks unanimous consent that the time of the gentleman from Virginia [Mr. SAUNDERS] be extended five minutes. Is there objection?

There was no objection.

Mr. SAUNDERS. The Supreme Court plainly announced that when it is clear to the judicial mind that the taxing power has been called into exercise, not for revenue, but solely for the purpose of destroying rights which could not rightfully be destroyed, consistent with the principles of freedom and justice upon which the Constitution rests, then in such a case the court would interfere, but it added that this principle would not apply in the oleomargarine case, for the reason that the manufacture of artificially colored oleomargarine could be prohibited by a free government without any violation of fundamental rights. Hence I conclude that the use of white phosphorus in the manufacture of matches may be prohibited by a free government without interference with fundamental rights. From this it follows, that should we write into this bill a declaration of our composite purpose in enacting it, the Supreme Court, pursuant to the principle supra, could not interfere with the law, or declare it to be unconstitutional. So that Mr. Chairman, with respect to this situation, we are not hampered by any decision of the Supreme Court. We are not hampered by any limitation, or provision of the Constitution, with respect to the use of the taxing power. The power to tax carries with it inherently, the power to embarrass, and destroy. It is unlimited in its nature. *Austin v. The Alderman*, 7 Wallace-699. Hence we possess all needful power to deal comprehensively, and effectively with a situation which presents so much of pathetic and appealing interest.

So far as the Democratic attitude is concerned, I will say to my friend from Georgia [Mr. BARTLETT] that I believe that with respect to tariff taxes he has correctly stated the party attitude, but I do not recall that the principle announced has been extended to excise taxes. Still I will admit that the same principle would measurably apply to the imposition of these taxes.

But there is this difference between a case like the one before us, and the laying of an ordinary protective duty, designed to build up a special business at the expense of the general body of consumers. There are very obvious and sufficient reasons why the taxing power should not be used to destroy one form of legitimate business, for the benefit of an equally legitimate competitor. But that principle has no present application. We are not seeking to benefit the manufacturer, but the workman, by this legislation. On the other hand our action will discourage no form of legitimate industry. Looking to its humanitarian side, this legislation merely serves to exclude a poisonous ingredient from use in the match factories of this country. Incidentally, the profits of the match trust will be *slightly*, very *slightly* reduced. The market price of matches will not be increased, and the health of the employees will be immensely benefited. Surely these are sufficient reasons to justify our support of this measure.

My friend from Georgia says in substance: "Wait on the exercise of the police power by the States." Should we wait until the States, one by one, shall prohibit the use of white phosphorus, in all likelihood this generation, and still another, will pass away. The independent action of one State, however well designed, would merely serve to drive the industry from that State into another. "Uniformity by State action is not practicable within a reasonable time." While we split hairs over constitutional refinements, and selfish interest turns a deaf ear to the pathetic appeal of suffering humanity, phosphorus necrosis, with its sequel of suffering and death, claims new victims. [Applause.]

I deny that any Democratic principle requires a Democrat to hizzle, and quibble over a proposition like this, when men and women are suffering and dying, for want of the immediate relief that this body alone can afford, by a legitimate exercise of an express constitutional authority. [Applause.]

We have acted heretofore in cases in which the demand for legislation was not one-tenth so exigent, as in the present case. I think, Mr. Chairman, that as Democrats and patriots, we would fail in our duty, should we decline to enact this measure on the avowed ground, that we preferred to allow other jurisdictions to extend by piecemeal, a relief that we can afford at one stroke. The States are free to exercise their constitutional functions. We are not interfering with that exercise, or disturbing those functions. We are operating within our own sphere, and within that sphere, we are supreme. In the exercise of our paramount authority, we are able to put the ax to the root of this evil. [Applause.]

The deleterious effect of white phosphorus seems to be inseparable from its use. It is a noxious poison. "As used in match composition it jeopardizes human health and life to a marked degree. Being readily volatile in the ordinary temperature of the air, it emits a bluish-white flame which affects the health of those who labor in match factories in three different ways. First, by causing anaemia. Second, by causing the bones of the body to become brittle, and unable to withstand slight external violence without breaking. Third, by causing phosphorus necrosis of the upper and lower jawbones. Anaemia and brittleness of the bones are frequent effects of chronic phosphorus poisoning. The daily breathing of air laden with phosphorus fumes, and continual contact with the particles of phosphorus are apt to result in a gradual lowering of vitality, which in turn invites other forms of disease."

"Phosphorus necrosis is caused by the absorption of the fumes of particles of white phosphorus through carious teeth and gums. The gums become swollen and purple, and the teeth loosen and drop out." But this is not all. "The organic, or animal matter of the jawbones slowly rots away, and passes off in the form of nauseating pus, which breaks through the neck in the form of abscesses, or if not almost continually washed out, oozes into the mouth, when it mixes with the saliva, and is swallowed, tending to induce chronic toxæmia. The stench from the suppurating bones, is dreadful, and is so nauseating that physicians and dentists alike avoid patients afflicted with advanced cases of necrosis. The disease is attended with awful suffering, and ends in frightful disfigurement, and occasionally in death." Phosphorus necrosis, is commonly called phossy jaw. For this there is no relief save by a surgical operation. The diseased bone must be removed. Sometimes the one jaw, sometimes both have to be excised. The consequent disfigurement is dreadful, and the pain attendant on the disease is excruciating. It seems to be true, that women are in greater danger of phosphorus poisoning than men. According to the statistics it appears that 95 per cent of the female employees, and 83 per cent of the children under 16 years of age are exposed to the "danger of the diseases resulting from phosphorus poisoning."

The Standard Accident Insurance Co., of Detroit, declines to write match factories on the ground that it has been unable to discover anything that would prevent poisonous infection when white phosphorus is used by the match companies.

These facts constitute a grave indictment against the use of white phosphorus, and the question may well be asked, Why has this use been permitted? The answer in part is, that for a time there were no non-poisonous substitutes, and in other part, that since these substitutes have been discovered, the cost of their use exceeds the cost of using white phosphorus. To the credit of many of the American manufacturers it may be said that they are willing to abandon the use of this material, but to do this, so long as their competitors continue its use, would be equivalent to retiring from business. They would be unable to meet the competition of the white-phosphorus match makers. The danger of phosphorus poisoning is greater in the United States than in the other countries where matches are made. This is due to the so-called "double-dip" match, invented a few years ago by an American manufacturer, and now rapidly supplanting all other forms.

The added tip of these matches, is about 20 per cent pure white phosphorus, and their varied color renders them more likely to attract the attention of children. A number of small children have died from sucking these matches. Confronted during the last 40 years with the dangers of phosphorus poisoning to the employees of the match factories, one country after another has tried the experiment of safeguarding these employees through stringent regulations. These regulations reduced, but did not eliminate the mischief. It is difficult to trace all the cases of phosphorus poisoning. The more horribly disfigured victims are not disposed to court publicity, while other victims do not connect their sufferings with this source.

A distinguished English authority, Dr. Oliver, has noted that a person may follow his occupation in the match works for years without suffering, or he may have left the works for two years, or more, and then in the most unexpected manner develop symptoms and physical signs of phosphorus necrosis. "The poisonous match not only endangers match workers, menaces little children in the home, but affords a ready means to those intent upon suicide, or the production of abortion."

One country after another has abandoned futile regulation in favor of effective prohibition. Science has come to the aid of this movement, by the discovery of various non-poisonous compounds for use on the tip, or head of the match. "Phosphorus in some form or compound is essential as an ingredient in the production of every kind of match. By means of chemical conversion, the poisonous element may be entirely eliminated. Chemical science has produced 8 or 10 different non-poisonous forms, or compounds of phosphorus, that are adapted, more or less effectively for use as the inflammable element in match composition." The more commercially available are the red-amorphous, and allotropic forms in common use in England and, on the Continent, sesquisulphide of phosphorus, whose use in this country was long controlled by a patent owned by the Diamond Match Co.

Within the last year however, the use of this material has been opened to other manufacturers, by the surrender of its letters patent on the part of this company, and a dedication of its invention to the "public of the United States of America forever." So that there is no lack of non-poisonous material for the tip of the safety match, and no reason why the use of white phosphorus should be continued, save for motives of greedy profit, which hinder a common agreement between the manufacturers to discontinue that use. What those manufacturers are unwilling, or unable to do, this Congress should compel them to do, and thus in a measure remove from the country the stain which has already attached, of being the last of the great powers to act in this respect.

Too long has this country delayed its action. The Congress alone can furnish a remedy adequate with the evil, a remedy co-extensive with the limits of the Republic. Shall we longer turn a deaf ear to the call of humanity, the pitiful cry of the toilers in this industry? One by one the great countries of the world have pointed the way. In succession, Germany, France, Sweden, Austria, Russia, and Great Britain, have reached the goal of prohibition by the weary round of ineffective regulation. Remedial legislation is often hindered and impeded by the extent of the industries affected. Big business protests that such legislation will close the doors of their plants, that the roar of their furnaces will be hushed, and the smoke of their chimneys will no more trail across the heavens, should they be required to conduct their affairs in a prescribed way, or eliminate certain elements from their processes. Legislators listen to these "tales of woe," and are impressed. Fearful of industrial panic, they refuse, or decline to act. But no results of panic, or loss of

material profit, will follow the enactment of this measure. The match manufacturers recognize that prohibitory legislation is inevitable in this country. This body I trust will set the health and lives of the wage earners, against the slight loss to the manufacturers that this legislation will entail. The appeal of selfish interest should pass unheeded. "The use of the readily available substitutes for white phosphorus, will result in an increased cost to the manufacturer of from 5 to 7 per cent. As an offset to this in part there is the saving of the expense which the manufacturers of the poisonous match incur in protecting their employees, and in providing for them when incapacitated. The added cost of the nonpoisonous match would be so slight that it will be borne by the manufacturers and dealers."

But this Congress when confronted by the appalling loss of life and limb among the railway employees engaged in interstate commerce, did not hesitate to impose upon the carriers the burden of safety appliances. The fact that this added cost would be borne by the railroads, was not deemed a sufficient objection to the legislation. There are certain advantages that will accrue in this country from the use of nonpoisonous matches, as they have accrued in other countries. These advantages are less danger of fire, and greater safety for the children of the household.

It appears from the hearings that the manufacturers are agreed that in the event of the passage of this law, which has been earnestly recommended by the President, and which a Republican Congress long failed to pass, they will be able to furnish the trade with a satisfactory "strike-anywhere" match. This has been done abroad. I have too much confidence in the skill, ingenuity, and ability of the American people, to doubt that it will be even more satisfactorily done in this country.

I know something about uniform State legislation and the difficulty of securing its enactment. This relief will never be effected by State legislation, unless the States of the Union unite on one common law. So long as one State declines to concur with her sister State, the remedy by State action will be inadequate and incomplete.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SAUNDERS. I have said that I know something about uniform State action.

Mr. HUGHES of New Jersey. I ask unanimous consent, Mr. Chairman, that the time of the gentleman be extended five minutes longer.

The CHAIRMAN. The gentleman from New Jersey [Mr. HUGHES] asks unanimous consent that the time of the gentleman from Virginia [Mr. SAUNDERS] be extended five minutes. Is there objection?

There was no objection.

Mr. SAUNDERS. Mr. Chairman, the exercise of the police power of the States will be ineffective to relieve this situation. One gentleman discussing this question a day or two ago, the gentleman from Mississippi [Mr. HUMPHREYS] said that he would have but small respect for a State that, confronted with a situation of this character, would not meet it by suitable legislation. True, but what of this body in a like dilemma? The Congress of the United States confronts such a situation. What will the world think of us, should we fail to meet our responsibility with appropriate action? [Applause.]

Our responsibility is as much greater than the responsibility of a State, as our power is greater. I have pointed out that State action would not be effective, until the concurrence of every State of the Union was secured. Have in mind the time required to secure concurrent action by the States on a measure of ordinary legislation, and then compute the time required for such action with respect to a measure like this, or any other measure into which enter the elements of human avarice and greed!

I had the honor to serve in my own State for a number of years on a committee on uniform State legislation. We prepared and recommended to the several States a considerable body of legislation. I recall one measure in particular, a bill relating to negotiable instruments, a bill that was highly commended, and in the result was adopted in quite a number of the States. To the enactment of this bill, there was no valid or sufficient objection in any State, but after about 18 States had acted favorably, the movement was halted, why, I do not know. But should only 18 of our 48 States legislate against white phosphorus, such legislation would be far from meeting the evil of this situation. Hence I repeat that the reference of action on this matter, to the police power of the States, can not be seriously considered, if we are impressed with the merits of the case presented. We are not required by any principle or policy with which I am acquainted, to refrain from the exercise of our authority, and to wait on some other joint authority, even con-

ceding that in time such joint action would prove effective. But in this instance, if experience tells us anything, the deferred hope of uniform State legislation will make the hearts of these poor toilers sick. Relief will not come from the voluntary action of the manufacturers. The wavering balance in this instance is too greatly shaken by self, to admit of right adjustment by the parties in interest.

What is our plain duty? Shall we lag behind the other nations, civilized, and uncivilized? The countries of the Old World, where human life and human happiness are not deemed to be held as dear as in this country of ours, far off Australia, and even Japan with its oriental indifference to pain and suffering, have agreed in prohibiting the use of white phosphorus in the manufacture of matches. Some of the powers of Europe have gone so far as to make an international agreement with respect to this subject. Shall the United States, the land of the free, the goal to which suffering humanity turns the world over, be the only nation failing to respond to this imperious call? Assuredly we are all opposed to the continued use of white phosphorus, shall we then decline to crush this use with a power that is well within our constitutional rights? Shall we hesitate to do that which humanity demands shall be done, merely because of the suggestion that these petitioners should first invoke the police power of the States? It is not too much to say, that the continued use of white phosphorus in the match industry, is legalized murder. The conservation of natural resources is a great policy, but the conservation of the lives and health of our toilers is far more imperatively demanded.

Mr. Chairman, it has been said in substance, that a Democrat can not support this bill, and be consistent. I do not consider that favoring this measure, I am any the less a Democrat, than other Members of this body who call themselves Democrats, and oppose its passage. But if support of a measure of this character, a measure that in the result will eliminate "phossy jaw" from the home of humble toil, puts me outside of the pale of the Democratic Party, then I go out freely, and voluntarily. I will go out with much good company on this side of the House. [Applause.]

Gentlemen in opposition say that favorable action on this bill will establish a precedent. What of it? Precedents like these will prove the salvation of the Republic.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. SISSON. Mr. Chairman—

Mr. HUGHES of New Jersey. I will ask the gentleman from Mississippi to withhold his remarks to give us an opportunity to dispose of an amendment to which there is no objection. I ask for a vote on that amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 1, line 9, by inserting, after the word "collector," the words "of internal revenue."

The question being taken, the amendment was agreed to.

Mr. SISSON. Mr. Chairman, I move to strike out the last word. I do not agree with the gentleman from Virginia [Mr. SAUNDERS] in the conclusion he reaches with regard to the case of *McCray v. The United States*. On the contrary, I think the gentleman from Georgia [Mr. BARTLETT] states correctly the principle of law there announced. The case clearly states that when Congress exercises a power of taxation which is within its rights the court will not, because there may be some other purpose or some other reason, go behind the purpose stated in the bill and impugn the motives of Congress.

Mr. SAUNDERS. If my friend will pardon me, I do not controvert that at all. That is absolutely true.

Mr. SISSON. But the gentleman from Virginia [Mr. SAUNDERS] says that as an original proposition the court announces that if a bill had been enacted to destroy the oleomargarine industry, that would have been within the power of Congress.

Mr. SAUNDERS. I did not say that.

Mr. SISSON. This case does not state that at all, but it says that, because it exercised a power within the Constitution, if the result should be that it destroyed an industry which Congress wanted to destroy, it would be destroying it by the exercise of a constitutional power.

That, Mr. Chairman, is the arraignment that the Democratic Party has made of the Republican Party for all these years. In other words, from the very beginning of the Government we have charged those who maintained the doctrine of protection, as one of the powers of the Government exercised under the taxing clause of the Constitution, that that was an evasion, and I can not conceive of any position that Democrats can take on this bill, if they vote for it, unless they at the selfsame time apologize to every Republican for the last hundred years for the position he has been taking. [Applause on the Republican side.]

Mr. TILSON. You are apologizing now.

Mr. Sisson. I am not apologizing, because I am not going to vote for this bill.

Mr. Burleson. Will the gentleman permit a question?

Mr. Sisson. Certainly.

Mr. Burleson. If it can be contended that this is a proper use of the taxing power, would it not be permissible, under the guise of raising revenue, to destroy the distilling and brewing interests of this country by levying a tax of \$25 a gallon on whisky and \$100 a barrel on beer?

Mr. Saunders. Absolutely.

Mr. Sisson. If the contentions of the advocates of this bill are true, you could absolutely destroy the liquor industry, and you have pointed the prohibitionists to the way, and you can not dodge the issue any more.

Mr. Saunders. They have already pointed the way in the oleomargarine case.

Mr. Sisson. That is true; but a Democratic House did not do that. That was done by a Republican House. [Applause on the Democratic side.] A Republican can justify his position, because his party never has had much regard for the Constitution. The power to tax is the power to take, and the power to take is the power to impoverish, and the Democratic theory is that no citizen should be deprived of one penny of that which he has justly earned unless it is for the purpose of paying the expenses of this Government; and when gentlemen bring into this House a measure, and the very report which they write here states that the purpose is not to raise revenue but to destroy the industry, you are doing under the guise of the taxing power that which it is unconstitutional to do and which the court would tell you you had no right to do, if you should enact your legislation directly and state only the truth in the title of the bill. I do not believe it is right by indirection, for those of us who feel as Democrats ought to feel, to evade the provisions of the Constitution which we have sworn to support. If our past utterances are sincere, if we believe as the party to which we belong says we shall believe in order to be Democrats, I do not understand how we can indorse this bill. I do not see how any Democrat can indorse it.

Mr. Buchanan. Does not the gentleman think it would be better to let the court hide behind the Constitution than that Democrats who stand here representing the people should hesitate to save the lives of people who are being poisoned?

Mr. Sisson. I will answer the gentleman's question. The gentleman, however, ought not to even evade the oath which he took in front of the Speaker's desk, which was taken without any equivocation or mental reservation whatsoever, that he would support and defend the Constitution of the United States; and if he believes this measure is unconstitutional, if he does not find a constitutional warrant for this legislation, then it ought to be his duty to maintain the Constitution, just as it is the duty of the court to maintain it, and he ought not to compel the court, by writing that into the bill which is untrue, to evade the Constitution. The purpose stated in the bill is not the purpose of Congressmen who vote for it, as I understand it. I speak this charitably. If the purpose of the bill is ulterior, if it is not that which is shown upon its face, it is an extremely bad precedent to set, because, under the guise of a humanitarian spirit, we may enact legislation that Congress never dreamed of enacting in the past; that the fathers of the Republic never dreamed they would enact; that the people of the country would not indorse, perhaps, as coming from this Central Government if they knew it. I do not believe a Member of this House has any more right to evade the provisions of the Constitution than the Supreme Court has, and as long as I am a Member of Congress I do not want to ease my conscience. On the contrary, I stand with Mr. Jefferson. I believe that it was of very doubtful propriety when the first decision was ever rendered by the Supreme Court of the United States overturning an act of Congress. I believe that of itself was an aggression of power.

I believe that every one of us has even more respect for our oaths of office; I believe we would love the Constitution more and stay closer to the Constitution if we did not understand that our action would be viséed by the Supreme Court of the United States.

Mr. Young of Kansas. Will the gentleman yield?

Mr. Sisson. Certainly.

Mr. Young of Kansas. Does the gentleman believe that his construction of the Constitution on this or any other question ought to bind the consciences of other Members of the House?

Mr. Sisson. I do not.

Mr. Young of Kansas. The gentleman's argument seems to imply it.

Mr. Sisson. Oh, my argument may be ineffective, like that of the gentleman from Kansas. The gentleman from Kansas knows that John the Baptist went through the wilderness crying religion of the Lord Jesus Christ, but the people did not

hear him. I may keep crying out in the wilderness and not be heard. [Laughter.]

Mr. Young of Kansas. The gentleman is mistaken—John the Baptist had many converts. The gentleman is an expert at crying out only and saying nothing.

Mr. Sisson. That may be true, but the gentleman's own criticism of my position with reference to the Constitution and the consciences of other men may sit on his own shoulders, and with the same charity that he views my opinion about matters of legislation I may have the right to view the sincerity of his motives, and when the scales are brought in I am perfectly willing to have my opinions weighed in the balance with the opinions of the gentleman from Kansas. [Applause.]

Mr. Towner. Mr. Chairman, I leave the question of the political responsibility as between the gentleman from Mississippi and the gentleman from Virginia for them to determine, but as regards the legal phase of the question, I entirely agree with the gentleman from Virginia. The doctrine of the courts has been from the foundation of the Government that if Congress had the power to impose a tax the courts would not seek to inquire as to what might be the ultimate effect of that tax. If the Government of the United States has the power to impose a quarter of a cent on a thousand matches, it has the right to impose a 2-cent tax on a hundred matches, and what the ultimate effect may be on the manufacture of matches the courts will not feel bound to consider.

Mr. Chairman, the exercise of the power by Congress whenever it passes any internal-revenue regulations will be governed, notwithstanding what gentlemen say, by what Congress believes will be to the best interests of the country in the levying of such tax. They will doubtless take into consideration the question as to whether much or little revenue will be brought in by the imposition of a tax.

But they will also take into consideration the moral and social effect of that tax upon the people of the country. They did that in the placing of the tobacco tax and the liquor tax and the oleomargarine tax, and they will doubtless do it in regard to this tax. [Applause.]

This House has the power, and it will certainly exercise that power when it may do so in the cause of humanity in its largest and best sense. This bill appeals to them because it is in behalf of a class of people who are unfortunately so circumstanced that they either can not understand what the results of the traffic they are engaged in will be upon them, or they are helpless to prevent it. And so I am glad to believe, if I can understand the temper of this House, that it will be in favor of doing that which the Constitution does not prohibit and which the people of the land and the great humanitarian sense of the world will applaud as a righteous and just act from every other possible standpoint. [Applause.]

The Clerk read as follows:

SEC. 4. That every manufacturer of matches who manufactures, sells, removes, distributes, or offers to sell or distribute white phosphorus matches without there being affixed thereto an adhesive stamp denoting the tax required by this act, effectually canceled as provided by the preceding section, shall for each offense be fined not more than \$1,000 and be imprisoned not more than two years. Every manufacturer of matches who, to evade the tax chargeable thereon or any part thereof, hides or conceals, or causes to be hidden or concealed, or removes or conveys away, or deposits or causes to be removed or conveyed away from or deposited in any place any white phosphorus matches, shall for each offense be fined not more than \$1,000 and be imprisoned not more than two years, or both, and all such matches shall be forfeited.

Mr. Longworth. Mr. Chairman, I make the pro forma amendment to strike out the last word. I favor this bill, as I favored the bill introduced last year by the gentleman from Wisconsin [Mr. Esch], of which this is the practical counterpart. I believe that the last Congress would have passed that bill had the fact not developed that the only substitute for white phosphorus was a substance known as sesquisulphide, in the manufacture of which the Diamond Match Co. had by patent exclusive control. Had we passed the bill last year at that time, the result would have been to throw a monopoly of the match business into the hands of the Diamond Match Co.

The President of the United States took a great interest in this measure, and it was at his instance that the Diamond Match Co. consented to relinquish its patent on the manufacture of sesquisulphide. The Diamond Match Co. has relinquished its patent, and the manufacture of sesquisulphide is now open to every manufacturer in this country.

There is no reason, then, why we should not pass this bill. There is no other method of reaching the evil that this bill seeks to reach. The gentleman from Virginia [Mr. Saunders] has well said that it might be generations before the various States of this Union would pass legislation to prevent the manufacture of white phosphorus matches. We could not get at it through the interstate-commerce clause of the Constitution because if we should undertake to provide that white phosphorus

matches could not be transported between the States the result would simply be that factories would spring up in all the States, and they would ship white phosphorus matches to residents within the State. The only way that we can reach the evil which this bill seeks to reach, and no one denies that it is a frightful evil, is to invoke the taxing power of the National Government.

Gentlemen seem to fear that this may be used as a precedent for all sorts of legislation which would destroy industries in States. I doubt whether any gentleman here can point to a single industry for the destruction of which this bill might be regarded as a precedent.

The prime reason why this bill should pass is that those immediately concerned in the manufacture of these matches are subject to the poison. It has been proved beyond a doubt that a large portion of the workers in match factories are apt sooner or later to contract the horrible and loathsome disease of phossy jaw. There is no way to prevent it by any modern methods. The only way to prevent it is by stamping out, as this bill does, in the guise of a high tax, the manufacture of white phosphorus matches.

Mr. BARTLETT. Will the gentleman yield?

Mr. LONGWORTH. Certainly.

Mr. BARTLETT. The gentleman states the fact that the tax of 2 cents a hundred will absolutely destroy that kind of an industry.

Mr. LONGWORTH. Beyond all question.

Mr. BARTLETT. That is the purpose of the bill—to destroy it?

Mr. LONGWORTH. It is the purpose of the bill to destroy it, and that is the reason I am for the bill, because I want it stamped out.

Mr. SHARP. As far as the precedent is concerned, is it not a good thing to set such a precedent?

Mr. LONGWORTH. It would be a good thing here to set a precedent if there was any other industry in which the laborers in the factories would be subjected to the risk of contracting such a horrible disease as they do in the manufacture of these matches.

Mr. BARTLETT. Would the gentleman from Ohio vote for a bill to put a tax of \$5 a gallon on whisky or beer?

Mr. LONGWORTH. That is not a parallel case. I am not speaking of any disease that may result to the consumer of matches. I am speaking of the disease that results to the maker of matches. Other gentlemen may be more familiar with the effect of whisky or beer upon the ultimate consumer than I am. Mr. Chairman, this is a bill in the interests of humanity; it offers the only remedy for the existing evil, and I hope that it will become a law.

Mr. BATHRICK. Mr. Chairman, I have lived in the vicinity of the largest match factory in the United States for many years. I have seen the making of matches from the day when the boys and girls that I knew would on Saturday afternoon and at other spare times make them when they were sawed out of a small wooden card—all but at one end of the match, where it would be broken off. Boys and girls of the factories, which were in those days very crude, dipped these cards in the sulphur and phosphorus compound, which made them ignite when they were scratched. The system of manufacturing matches has been changing and perfecting until to-day we have machinery for doing nearly everything that is done in connection with a match, and the process as it progressed, in every particular, was the subject of invention and care and attention by the manufacturer for the purpose of avoiding as near as possible the direful results of contact of laborers in these factories with white phosphorus. I have talked with manufacturers many times, and with those who know, but I have yet to discover a single instance where these remedial purposes ever accomplished complete prevention, for the reason that when the white phosphorus is in the tank and the matches are dipped, either by hand or machinery, the fumes rise and the whole room is filled with them, and it is practically impossible for the employee to escape contact with the death-dealing qualities of this drug. They have gone to the greatest expense in ventilating purposes and for all other measures that will remove danger of these fumes from the presence of the workers. They have never succeeded in doing it.

Many times manufacturers have gotten together in association meetings and have talked this matter over and discussed at length how they could emancipate their workmen from the ravages of this fatal disease. They have never been able to do anything. At last here comes from France a drug, first manufactured in that country, I believe, by the French Republic itself, which, I understand, monopolizes the manufacture of matches—a drug which does away with the use of white phosphorus,

and with which matches are manufactured by the sesquisulphide process. The details of the process are not material. The Diamond Match Co. has its home in my district. Mr. O. C. Barbour, head of the Diamond Match Co., and whose circulars on the subject of Government ownership of railroads have been received by Members, and who was the father of the Diamond Match Co., secured the United States patent for the sesquisulphide. The Diamond Match Co. owned the patent. Naturally they considered it a business proposition to get control of that patent if they could. It was a very good business proposition if they could make matches without the use of white phosphorus, because it would make a better match, as they thought, and also they could secure better conditions for labor. There was some trepidation among the other manufacturers as to the purpose of this move. The Diamond Match Co. had the patent. Naturally they tried to control it, but eventually, at the suggestion of Government officials, at the suggestion of humanitarian members of their company, they, with a philanthropic spirit, gave up this valuable patent, relinquished it to the Government of the United States, and it was canceled. I have talked with Mr. Barbour, who was for many years the president and principal owner of the Diamond Match Co., and I have tried to find out if back of this giving up and cancellation of this patent there was any reason which actuated the Diamond Match Co. wherein it expected to profit thereby, and I will say to my colleagues in this House that I know that gentleman and I know that he is philanthropically inclined in this matter, and it is unjust in the extreme to suggest ulterior motives.

I know that his purpose in this matter is purely philanthropic, and when he relinquished this patent to the Government I am thoroughly satisfied he did it for the purpose of accomplishing the results which we are attempting to accomplish this afternoon. I have little sympathy with those who are so ready to ascribe to the Diamond Match Co. a hidden, cunning purpose.

I can not understand why it is that any gentleman should oppose this bill. There may be a constitutional question involved, but I think you have overlooked one matter in that connection, and that is this: The tax proposed in this bill is not a tax on white phosphorus. It is not technically a tax upon a match, but it is a tax upon a process. There has been much reference to a tax upon beer as an alleged analogy. It is not a comparative case. I will say to you that if people were to manufacture beer containing strychnine or liquor containing sulphuric acid or cyanide of potassium I would vote to tax the process, and that is all that you are asked to do this afternoon. We are not taxing the matches out of business; we are not taxing white phosphorus out of business, for it can be used for many other purposes, and as good matches can be made in other ways. We are simply taxing a process that is injurious and detrimental to the workmen of this country [applause], and no manufacturer will suffer and no one will be wronged, but the workmen in the factories will receive long-delayed relief.

The Clerk read as follows:

Sec. 5. That every person who affixes a stamp on any package of white phosphorus matches denoting a less amount of tax than that required by law shall for each offense be fined not more than \$1,000 or be imprisoned not more than two years, or both.

Mr. ESCH. Mr. Chairman, we have been seeking for two years to pass legislation that would make it safe for men, women, and children employed in match factories to carry on the business in which they are engaged. Congress has been engaged in the conservation of natural resources, and there is a line for its activities even greater than this, and that is the conservation of human life. [Applause.] Congress has already enacted legislation seeking to promote the safety of employees and the traveling public—has already enacted laws seeking to promote the safety of miners in our mines and to promote the safety of our mail clerks and all those employed in Government work. We seek by this bill to promote the safety of employees in match factories. We have waited for 40 years for the States to do this. They have failed, so that we are now seeing the lamentable situation that not a single State in this Union has as progressive laws with reference to the match industry as has Japan and many of the other nations of the world. Every nation in Europe forbids the use of white phosphorus in the manufacture of matches. An international treaty, entered into at Berne, Switzerland, in 1906, forbade the use of white phosphorus in the making of matches. England joined in that treaty in 1909, and all other nations of Europe practically are now within that treaty. The United States can not sign the treaty unless and until it enacts a law like this. Even Russia taxes poisonous matches to a prohibitive degree, so that only 1 match in 50 in Russia is now made with the use of white or yellow phosphorus.

And yet the United States can not take a place beside Russia in this humanitarian legislation. Australia forbids the impor-

tation of matches made from this poisonous article. This being the situation, Congress having the power under the taxing clause, as I contend, the opportunity affords now to pass this bill. The Supreme Court in the McCray case—the oleomargarine case—held as follows:

The court can not hold a tax void because it is deemed too high. Although the effect of the tax in question may be to repress the manufacture of artificially colored oleomargarine, it is not on that account a violation of fundamental rights. An act of Congress exerting the taxing power can not be avoided on the ground that it is an abuse of power.

And in the case of *Veazie Bank against Fenno*, the court held that the tax—

May very well be classed under the head of duties.

And declaring:

The power to tax may be exercised oppressively upon persons, but the responsibility of the legislature is not to the court, but to the people by whom its members are elected.

[Applause.]

I trust that the Members of this House will be willing to assume that responsibility. The President in his message of December 10, 1910, referring to this very legislation, declared:

The diseases incident to this are frightful, and as matches can be made from other materials entirely innocuous, I believe that the injurious manufactures should be discouraged and ought to be discouraged by the imposition of a heavy Federal tax. I recommend the adoption of this method of stamping out a very serious abuse.

[Applause.]

And so again I urge, following the recommendations of the President, following the decisions of the courts and the best spirit of the humanitarian nations of the world, that we adopt this bill. [Loud applause.]

The Clerk read as follows:

Sec. 6. That every person who removes, defaces, or causes or permits or suffers the removal or defacement of any such stamp, or who uses any stamp or any package to which any stamp is affixed to cover any other white phosphorus matches than those originally contained in such package with such stamp when first used, to evade the tax imposed by this act, shall for every such package in respect to which any such offense is committed be fined \$50, and all such matches shall also be forfeited.

Mr. McCALL. Mr. Chairman, I move to strike out the last word. Mr. Chairman, as we are about to exercise the taxing power it is well to know just what that power is, and I read to the committee section 8 of Article I of the Constitution of the United States:

The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

The meaning of those words would seem to be reasonably clear, but I would like to quote to the House the construction put upon them by two very eminent men in our history, representing the extremes in our two great political schools. Thomas Jefferson said:

To lay taxes to provide for the general welfare of the United States is to lay taxes for the purpose of the general welfare, for the laying of taxes is the power and the general welfare the purpose for which the power is to be exercised. Congress are not to lay taxes ad libitum for any purpose they please, but only to pay debts or provide for the welfare of the Union. In like manner they are not to do anything they please to provide for the general welfare, but only to lay taxes for that purpose.

Here the opinion of Mr. Jefferson is explicit. According to him we have the power to lay taxes not merely to collect revenue, but to provide for the general welfare of the United States.

Alexander Hamilton, the other great statesman of that time, and representing the opposite political school, said:

No objection ought to arise to this construction from the supposition that it could employ a power to do whatever else would appear to the Congress conducive to the general welfare. The power to appropriate money with this latitude, which is granted in express terms, would not carry power to do any other thing not authorized in this Constitution, either expressly or by fair implication.

I think it is not necessary to argue to this committee that it is for the general welfare of the Nation to put an end to one of the most loathsome diseases of civilization. I admit that even the taxing power, with the broad purpose for which it is expressly granted, should be used with caution for any other purpose than simply to raise money, but the power of Congress is clear. And if it has been used to prohibit the circulation of State banks or to check the use of oleomargarine or to protect American industries, I think it may well be exercised for so laudable a purpose as is here presented. I therefore propose to vote for the pending bill.

The Clerk read as follows:

Sec. 10. That on and after January 1, 1913, white phosphorus matches, manufactured wholly or in part in any foreign country, shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited. All matches imported into the United States shall be accompanied by such certificate of official

inspection by the Government of the country in which such matches were manufactured as shall satisfy the Secretary of the Treasury that they are not white phosphorus matches. The Secretary of the Treasury is authorized and directed to prescribe such regulations as may be necessary for the enforcement of the provisions of this section.

Mr. GARRETT. Mr. Chairman, I move to strike out the last word. Mr. Chairman, the construction given by the distinguished gentleman from Massachusetts to the language of the Constitution which he has just quoted, and to the language of Mr. Jefferson and of Mr. Hamilton, is not the construction which I understand to be the proper one. I have been trained in the belief that the taxing power delegated to the Federal entity was given for one purpose, and for one purpose only—that is, that the Government might live; and I am not prepared, even on this bill, Mr. Chairman, to desert that training and the belief of a lifetime. I believe the proper construction of the language quoted by the distinguished gentleman from Massachusetts—that is, the power given to lay taxes to promote the general welfare and to pay the duties—means that the taxes were to be laid and revenue raised thereby, which revenue so raised was to be expended in the payment of the debts and the promotion of the general welfare. I do not believe that it is a sound contention that the taxing power was given to the Federal Government to enable it to destroy. It was given to create and maintain life, not to bring about death. Mr. Chairman, one other word. It is suggested that because of the fact that the courts will not look to the debates, because of the fact that the courts will not examine the speeches made here showing that the avowed purpose of a bill is not to do what upon its face and in its title it purports to do, raise revenue, but is to destroy—it is insisted because they will not look back they therefore will not hold it in violation of the Constitution, and that we therefore must follow it; but, Mr. Chairman, we have a responsibility of our own to the Constitution.

I did not take an oath to support the construction that might be given to the Constitution by the courts. I took an oath to support the Constitution. That Constitution I must support according to my own construction and in the light of my own reason.

I believe that this bill is a violation of the teachings of our own party, and, independent of the party idea, I believe it is a violation of that purpose for which the taxing power was delegated by the States to the Federal entity. The States did not delegate police powers. They retained them. If it be necessary for the Federal Government to exercise police powers, it must go back to the States and receive from them a further delegation of authority.

I do not concur with the idea that the evil aimed at in this bill may not be reached through the interstate-commerce laws. I think that perchance it could be reached there in some measure similar to the pure-food legislation. But whether that is true or not, I do believe, Mr. Chairman, that we ought not to enact into law a proposition declaring for one thing when at the same time we avow that it is for another thing. We ought not to say that it is to raise revenue when its purpose is to destroy. I do not believe, Mr. Chairman, that we have the right to pass this bill. So believing, without criticizing other gentlemen, I shall be compelled to vote against it. [Applause.]

The CHAIRMAN. The pro forma amendment will be considered withdrawn.

Mr. HUGHES of New Jersey. Mr. Chairman, I move to strike out the last word for the purpose of stating my position on this bill.

The manner in which the debate is now proceeding is a little bit out of the ordinary, and I suppose I might as well say what I have to say at this time, and as quickly as possible, so as not to take up unduly the time of the committee.

I have been called a good many things in my time, and the legislation for which I have stood has been variously characterized, but I do not know that I and any legislation that I have been associated with and that has been presented in this House have ever before been classified as "ignes fatui" until this afternoon. [Laughter.] But I am willing to accept that characterization.

I will not attempt to follow the gentleman from Georgia and the gentleman from Mississippi in their metaphysical disquisitions, and can not do so, probably because I have not had the necessary mental training. I never had the patience to follow the treatises and the arguments of the old scholars who argued how many angels could stand at one time on the point of a needle. [Laughter and applause.] But I do know this: I know that human beings are suffering in this country to-day, and I say that the strongest indictment that ever was written against the Democratic Party is the indictment written against it by the gentleman from Georgia and the gentleman from Mississippi when they say that it is against the principles

of the Democratic Party to reach down and pick up suffering humanity and stop disease and distress. [Applause.]

When they can convince me that the Democratic Party stands for that proposition, as they put it, when they thus rule me out of the party I will leave the Democratic Party willingly, and I will take everything with me in the Democratic Party that is worthy of taking. [Applause.]

Mr. BARTLETT. You will leave some people who are much more worthy than you are.

Mr. HUGHES of New Jersey. That may be in the gentleman's opinion. I will not dispute it with him now.

I know this about this proposition: It may be said that it is not wise to use this power that we have. I do not quarrel with any man who takes that position. It may be said that some other way could be devised, that some other method would be better, and I take issue with no gentleman who takes that position. But when gentlemen have the temerity to say practically that a man violates his oath of office and leaves his democracy behind him because he has a heart in him that beats in sympathy with the common people of his country, and because he can no longer stand the loathsome and intolerable conditions that exist in this community, I am forced and compelled to take issue with them. [Applause.]

Now, this is the situation, gentlemen: I am willing to take the opinions of the great constitutional lawyers of this country who have subscribed to the proposition that this legislation is constitutional; that it is a proper exercise of the taxing power of this Government. The opponents of this legislation in the early days did not rely entirely upon that argument. First we heard that there was no such disease as phossy jaw, because it was possible for unscrupulous manufacturers to hide away the victims. The argument was boldly made that there was no such disease and that there were no such victims. But it happened that from my own district, from the city of Passaic, there came the living evidence of the fact that there is such a disease—perhaps the most loathsome and horrible disease that the medical fraternity of this or any other country is called upon to deal with. And I will say to you, gentlemen of this committee, that in that district of mine there is a match manufacturer, an active and energetic rival of the great Match Trust, and he came to me when this bill was being considered before the Committee on Ways and Means and said:

I am in the match business. I know, Mr. HUGHES, you believe me to be a humane man. I am a humane man. I feel as though I would rather leave the match business and enter upon some other line of activity if I am compelled to carry it on as I am carrying it on now. If I stay in the match business I will have to continue the conditions which are established by my competitors. I am now putting out as a part of my product a certain amount of nonpoisonous matches. Other manufacturers who do not make that special match have made a particular drive against it.

Mr. RAINEY. Was it Mr. Hutchinson who made that statement?

Mr. HUGHES of New Jersey. No, sir; it was not. The manufacturer's name is San. Mr. Hutchinson appeared with him, and I believe he is interested in the concern.

Mr. RAINEY. The same factory?

Mr. HUGHES of New Jersey. I think so.

Mr. BATHRICK. So long as this Government is able to prevent the putting of poison into food under the pure-food act, why is not as thoroughly proper and constitutional to prevent the putting of poison into a match?

Mr. HUGHES of New Jersey. I will say to my colleague and to the members of the committee that I was at the hearings, and I have discussed this matter on and off the floor and in the committee rooms, and in practically every other place, for a great many weeks past, and I have never heard anybody seriously urge the unconstitutionality of this legislation. As I understand it, the argument that is made is that while we have the power constitutionally, there is some doubt as to whether that power should be exercised. As I say, I have no sympathy with that argument. I know that in this match industry now people are being diseased and condemned to death. I know that children yet unborn will, unless we pass this legislation, come into the world handicapped and will die because we have failed to act. I want this country to take its place, as the gentleman from Wisconsin [Mr. Esch] says—the gentleman from Wisconsin first fathered this legislation—beside the other humanitarian nations of the world and to give the people engaged in this industry the relief that every civilized country in the world has said its people were entitled to. [Applause.]

The CHAIRMAN. If there be no objection the pro forma amendment will be considered as withdrawn.

The Clerk read as follows:

Sec. 11. That after January 1, 1913, it shall be unlawful to export from the United States any white phosphorus matches. Any person guilty of violation of this section shall be fined not less than \$1,000 and not more than \$5,000, and any white phosphorus matches exported

or attempted to be exported shall be confiscated to the United States and destroyed in such manner as may be prescribed by the Secretary of the Treasury, who shall have power to issue such regulations to customs officers as are necessary to the enforcement of this section.

Mr. RAINEY. Mr. Chairman, I offer an amendment, in line 17, page 6, to strike out the word "thirteen" and insert the word "fourteen."

The Clerk read as follows:

Amend, page 6, line 17, by striking out the word "thirteen" and inserting the word "fourteen."

Mr. HUGHES of New Jersey. If the gentleman from Illinois [Mr. RAINEY] will permit, I have been in communication with the match manufacturers throughout the United States, and have agreed on some changes to be made in this bill, with reference to the dates when the various provisions shall take effect.

Mr. RAINEY. Has the gentleman an agreement with reference to this provision?

Mr. HUGHES of New Jersey. No change was made in that provision, and none was asked. A change was made in the last section, where the word "thirteen" was substituted for the word "twelve" and the word "fifteen" substituted for the word "fourteen." I am very anxious not to have the gentleman insert an amendment which will perhaps be out of harmony with the other dates in the bill.

Mr. MANN. I suggest to the gentleman from New Jersey that if he offers an amendment in section 17 to insert the word "thirteen" in place of "twelve," it will provide that the act shall not take effect until July 1, 1913, while the section under consideration provides that it shall be unlawful to export matches after January 1, 1913, six months before the act will take effect. So it seems to me that the amendment offered by my colleague [Mr. RAINEY] is quite necessary.

Mr. HUGHES of New Jersey. I am frank to say that I am not aware of the effect of the amendment. I have not had a chance to examine it.

Mr. RAINEY. It just pushes it forward one year.

Mr. MANN. This has nothing to do with the manufacture.

Mr. HUGHES of New Jersey. Very well, then.

Mr. RAINEY. Mr. Chairman, the gentleman has no objection to the amendment, then?

Mr. HUGHES of New Jersey. No; I have no objection to it.

Mr. RAINEY. I want to say a few words about the bill. This is an attempt to crush an industry by the use of the taxing power. If it was ever proper to resort to the taxing power for the purpose of crushing an industry, this industry perhaps ought to be the one to be destroyed. If this necrosis of the jaw—this phossy jaw—is as bad as it has been represented to be, the business of manufacturing white or yellow phosphorus matches ought to be stopped just as soon as possible, even if we are compelled to strain the Constitution to do it. But I can not sit here in my seat and hear the statement made on the floor that sooner or later every man, woman, and child who works in a white phosphorus match factory will be afflicted with phossy jaw. The matter has been grossly exaggerated throughout the country, and, I believe, exaggerated for a purpose, which I will endeavor to explain soon if the House will listen to me and will indulge me long enough, and I will not take a very long time either.

The only reliable evidence in the hearings as to the destructive character of this disease and as to its ravages is the statement furnished by the general superintendent of the Diamond Match Co., Mr. Fairburn, and the Diamond Match Co. is favoring this legislation. Mr. Fairburn states in the hearings here that for 12 years they have examined, in their factories where they employ 1,700 men, this dreadful occupational disease. He states that in that time, among those 1,700 employees, in this the largest match industry in this country and perhaps in the world, they have had 25 mild and 16 serious cases of phosphorus necrosis.

Mr. BATHRICK. Does the gentleman know that this phosphorus necrosis has its start from a defective tooth and that the Diamond Match Co. have been particularly watchful; that they employ a dentist in every factory and employ a physician in every factory; and that precautions which are said to be unusual in some factories are employed to prevent this disease?

Mr. RAINEY. Yes; I so understand it.

Mr. BATHRICK. That might account for it.

Mr. RAINEY. Mr. Fairburn says:

We have had 25 mild and 16 serious cases of phosphorus necrosis—41 cases all told—5 of which ended fatally. In giving these statistics every case of necrosis has been classified as phosphorus necrosis. In addition to the before-mentioned actual cases, 256 employees have been given precautionary special treatment, and these all yielded to treatment without disease or disfigurement ensuing.

We have employed on an average about 1,700 people during the before-stated period of 12 years, exposed to phosphorus fumes, so our total number of cases, mild and serious, is equivalent to one-fifth of 1 per cent of our exposed employees per annum, and the number of

fatal cases is equivalent to one-fortieth of 1 per cent per annum. If we consider the total number of our factory employees, the before-mentioned percentage figures will be reduced to about one-eighth of 1 per cent and one sixty-fifth of 1 per cent, respectively.

Now, as has just been stated on the floor, you can prevent phossy jaw by taking care of the teeth, and because certain factories in the States do not exercise this kind of supervision, because certain States do not require this inspection of the teeth of employees in the white phosphorus match factories, we are therefore asked to invoke the taxing power and reach out into the States and crush every one of these industries. That is clearly what this bill proposes to do, and in the report filed by the Ways and Means Committee they admit it.

Mr. JAMES. Will the gentleman yield?

Mr. RAINEY. With pleasure.

Mr. JAMES. In the statement the gentleman has just read as to those who die of phossy jaw the gentleman does not give to the House the other class of people that also die. I have no doubt that the gentleman has had as many letters as other Members have from mothers who have told of the children that have died by eating the heads off the matches. The gentleman's statement does not include that.

Mr. RAINEY. Oh, that is true wherever poisons are exposed. These lamentable facts are always liable to occur.

[The time of Mr. RAINEY having expired, by unanimous consent he was given five minutes more.]

Mr. RAINEY. But perhaps more children kill themselves by using sharp tools of different kinds, by severing veins and arteries; but is that any reason why we should suppress the manufacture of everything by which children can injure themselves? Proper care in the home will prevent these accidents; proper care in the factory of employees—and proper care in the factories can be compelled by the State—will reduce the cases of phossy jaw to an absolute minimum.

Mr. SAUNDERS. Will the gentleman yield?

Mr. RAINEY. Yes.

Mr. SAUNDERS. Does not the evidence show that every country that has made the experiment of regulating this manufacture has found that while it may reduce it, it could not get rid of the trouble growing out of phosphorus poisoning, and the only way was by absolute prohibition?

Mr. RAINEY. I do not remember any such evidence.

Mr. SAUNDERS. That is stated in the report.

Mr. RAINEY. Let me call the attention of the House to one other thing. This legislation is going to go through, and you are going to vote for it. You are going to vote for it because the membership of the House has been intimidated into voting for it. You are going to vote for it because you have received letters from college professors, women's clubs, from uplift organizations of various kinds throughout the country—most of them know little or nothing about the subject—because the Ways and Means Committee have been attacked editorially in the columns of the newspapers, because they have been charged with submitting the whole subject to a secret subcommittee, because of articles in the magazines, and because of the fact that press agencies are at work promoting this legislation to an extent unheard of before in this country.

Now, let me call attention to something that the evidence shows, and soon I will read the evidence to show what I mean. The Diamond Match Co. has given up generously, apparently, to this country their secret formula purchased by them from France for the manufacture of sesquisulphide, a harmless compound.

Now, I distrust the Greeks when they come bearing gifts, and I distrust the Diamond Match Co., because they are the Match Trust in this country if there is one. It is impossible for a successful trust to be formed unless they control the greater portion of the output in goods. There is little evidence of any Match Trust in the country at the present time, because any man with a few thousand dollars can start a match factory and make white sulphur matches. They are the most satisfactory matches and they are the matches people buy. They strike the easiest. The sesquisulphide matches do not do this. It costs a little more money to make a sesquisulphide match. But there is a company, the East Jersey Match Co., the company whose official came to the gentleman from New Jersey [Mr. HUGHES] and related to him the pathetic story which the gentleman has just told, that makes a satisfactory sesquisulphide match in this country. This company controls the Salvation Match Co. of New Jersey. They make a sesquisulphide match that is just as good as the white sulphur match, and they have put it on the market. They have, however, put it on the market in somewhat limited quantities; but it is as good as any match, although it costs a little more to make. The Diamond Match Co. makes as good a match as they make, but the other companies can not make a sesquisulphide match that is at all satisfactory.

Mr. BATHRICK. Will the gentleman yield?

Mr. RAINEY. Yes, sir.

Mr. BATHRICK. I would like to ask the gentleman how he knows that the other companies can not make a satisfactory sesquisulphide match. It is my understanding, and I have a good deal of knowledge of the business, that they can. Furthermore, he has not exposed any truth that will reflect upon the Diamond Match Co. in any way, shape, or manner. I have stated they did it for a philanthropic purpose, and that is the truth.

Mr. RAINEY. I hope they did; but I do not believe it.

Mr. BATHRICK. The gentleman has no evidence to sustain that statement.

Mr. RAINEY. They make a sesquisulphide match that is as good as the white phosphorus match. They do not put it on the market to any considerable extent. The East Jersey company make a match out of sesquisulphide that is as good as the white phosphorus match. They are not pressing that. These matches are made from secret formulas, because there are secret formulas for sesquisulphide, just as there are for white phosphorus and other compounds. Let me read from the hearings:

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. RAINEY. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RAINEY. Mr. Hutchinson, of the Salvation Match Co. and the East Jersey Match Co., testified before the Committee on Ways and Means, and said this with reference to the sesquisulphide match:

We sell them in competition with other matches at no higher price. The profit is satisfactory to us.

Mr. HUGHES. You have a compound all your own?

Mr. HUTCHINSON. Yes; but I understand that every match maker has a compound. There have been a lot of them offered to us by different inventors of compounds and sesquisulphide. The Diamond Match Co. took pains to send their formula to every match manufacturer in this country, and everyone is at liberty to make it.

Mr. RAINEY. You have your own formula?

Mr. HUTCHINSON. We have our own formula. We use sesquisulphide, however.

Mr. RAINEY. Are you willing to give your formula to the trade?

Mr. HUTCHINSON. No; neither would we give them our phosphorus compound. As every match maker will tell you, there are various tricks of the trade that they do not care to give away.

I call your attention to a match here made by the Diamond Match Co. [exhibiting match]. They are not pressing it, and it is perhaps presumptuous on my part to offer it. They are not pressing it; but it is an excellent match and is made of an entirely different formula from ours.

Those are the two matches. What will the result be? When this bill goes into effect there will be just two factories in this country, the little East Jersey factory and the Diamond Match Co., that can make a sesquisulphide match that is as much desired on the market as the white phosphorus match. What is to keep the Diamond Match Co. and the East Jersey Match Co. from combining? What is to keep the Diamond Match Co. from buying out the East Jersey Match Co.? When that happens, they fix the price of matches to suit themselves; the only competition they will have will be the competition presented by the safety matches made in Sweden and other places, and against that competition they are protected by the tariff. I am going to vote for this bill, because this is the most distressing of all the occupational diseases. I am going to vote for it because I believe it will eventually stop this method of causing the phossy jaw. I am making these remarks now to call attention to the dangerous character of the legislation, and to the fact that as soon as we pass it we will have increased the cost of matches in this country to the consumer. We will also have set up one of the most powerful trusts this country ever had, and it will be a most excellent object lesson to the people of the country as to the danger of this kind of legislation. I hope it will never be repeated. I hope it will at no time in the future be considered a precedent for other similar legislation.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. RAINEY) there were—ayes 47, noes 16.

So the amendment was agreed to.

Mr. HUGHES of New Jersey. Mr. Chairman, I ask unanimous consent that the reading of the bill may be proceeded with now without interruption, and that the debate close in 10 minutes thereafter.

Mr. MANN. Mr. Chairman, I desire to offer some amendments on the next section.

Mr. UNDERWOOD. Mr. Chairman, I will suggest to the gentleman from New Jersey that we have already yielded to him in the matter of general debate.

Mr. HUGHES of New Jersey. Mr. Chairman, I withdraw the request.

The Clerk read as follows:

Sec. 12. That every manufacturer shall mark, brand, affix, stamp, or print, in such manner as the Commissioner of Internal Revenue shall prescribe, on every package of matches manufactured, sold, or removed by him, the factory number required under section 4 of this act. Every manufacturer who omits to mark, brand, affix, stamp, or print such factory number on such package shall be fined not more than \$50 for each package in respect of which such offense is committed. Every manufacturer of white phosphorus matches shall securely affix by pasting on each original package containing stamped packages of white phosphorus matches manufactured by him a label, on which shall be printed, besides the number of the manufactory and the district in which it is situated, these words: "Notice.—The manufacturer of the white phosphorus matches herein contained has complied with all the requirements of law. Every person is cautioned not to use again the stamps on the packages herein contained under the penalty provided by law in such cases." Every manufacturer of white phosphorus matches who neglects to affix such label to any original package containing stamped packages of white phosphorus matches made by him or sold or removed by or for him, and every person who removes any such label so affixed from any such original package, shall be fined not more than \$50 for each package in respect of which such offense is committed.

Mr. MANN. Mr. Chairman, I offer the following amendments, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 7, line 6, amend by inserting before the word "matches" the words "white phosphorus."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Page 7, line 3, amend by inserting after the word "manufacturer" the words "of matches."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Page 7, line 7, after the word "every," insert the word "such."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. HUGHES of New Jersey. Mr. Chairman, I move to amend, on page 7, line 7, after the word "section," by striking out the word "four" and inserting in lieu thereof the word "two."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. BUCHANAN. Mr. Chairman, I move to strike out the last word. I did not intend to take up the time of the committee on this question, because I had not doubted the passage of the bill; but since my distinguished friend from Mississippi [Mr. Sisson] has questioned my loyalty to the official obligations I have taken here, because I may differ with him on the construction of the Constitution, I deem it essential to say a word. If it has not already been found out here, I will admit that I make no pretense of understanding the law. While I have read some law, yet I must, when it comes to the question of the Constitution, be my own judge as to what is the meaning of this instrument, and I do not believe that our forefathers wrote a Constitution that will prevent this Congress from protecting working men and women from a horrible death. I may differ with lawyers on the construction of the Constitution, but I also find that the greatest lawyers of the country differ among themselves as to what is its meaning.

Now, my distinguished friend and colleague from Illinois [Mr. RAINEY] says we are being coerced into supporting this measure by the women's organizations throughout the country. I want to say that no man who knows me will accuse me of being coerced into doing anything that is not right, but if such public-spirited and patriotic women as Miss Jane Addams and Mrs. Raymond Robbins, of the city of Chicago, and other noble women in this country, who are giving their whole lives to the study of the conditions in the industrial world, that they may do something to save the workers from the ravages of a disease that results in a miserable death for the sake of profit to the manufacturers of matches in this country, if I can be charged with being coerced by such citizens as these noble women, I will not deny the charge, but will plead guilty. I am willing to concede that they know something about these people who are taking the chances of contracting this disease, and when they tell me that this is the condition in this industry, I am satisfied to take their word in regard to the matter and exercise my influence to secure the passage of this bill that it may become a law and protect these working people. [Applause.]

The Clerk read as follows:

Sec. 14. That all fines, penalties, and forfeitures imposed by this act may be recovered in any court of competent jurisdiction.

Mr. FOSTER. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I am of the opinion that this bill should

pass because, as has been said here this afternoon, this is a bill in the interest of humanity. It has been demonstrated that matches can be made of a material that is safe for workmen to manufacture, and to my mind there is no reason why a great Government like ours ought not to keep pace with the other nations of the civilized world. Not only in this industry do these workmen have necrosis of the jaw, but also we find that there are other diseases which attack these individuals on account of their coming in contact with the substance phosphorus. We find that many of them are troubled with anemia, others have Bright's disease or albuminuria, as a result of the poison, so that when men speak upon the floor of this House and say that there are very few cases of this disease that occur among workmen in match factories, we ought to take into consideration the many other diseases with which these unfortunate individuals are afflicted.

I have observed that the legislative committee of the American Association of Labor publishes these facts in their report, and I find, also, that many of these women who work in match factories stated here that they received the pitiful sum of \$6 a week—not sufficient to properly look after their health and guard against these diseases. It is true also that these people when they become afflicted become timid. They get in such a condition of mind that they do not want to speak of their affliction, because it is one of the most loathsome diseases with which one comes in contact. So I believe that to-day by passing this legislation we can do something for humanity. If this old Constitution of ours, which we cherish and respect so highly and which we have existed under for more than 100 years, is such a constitution that it does not permit us to do something necessary for humanity, I appeal to you and to the American people that this Constitution of ours should be so changed that we might take proper care of humanity. Many things, my friends, are done for the sake of business. Many times legislation in Congress and in State legislatures is brought about for the sake of helping business, yet we should not forget that human life and the health of the individual is greater than the business of a country [applause], and I for one want to place myself upon the side of humanity and for legislation that will protect human beings and save them from sickness and death. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired. The Clerk will read.

Mr. SAUNDERS. Is it not true, as shown by the evidence, that with respect to the effect of the phosphorus fumes upon the individual, it produces a low condition of vitality, which makes the individual much more liable to other diseases?

Mr. FOSTER. Certainly. There is no question about that.

Mr. SAUNDERS. So that if it does not take the form of phossy jaw, it produces deleterious effects in other directions?

Mr. FOSTER. Yes; and in that way it permits other diseases to invade the human body.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

Sec. 15. That the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may make all needful regulations for the carrying into effect of this act.

[Mr. UNDERWOOD addressed the committee. See Appendix.]

Mr. PAYNE. Mr. Chairman, I move to strike out the last word. I did not hear all that was said by the gentleman from Alabama [Mr. UNDERWOOD] against this bill, but he made a rather curious argument, in view of the facts which have appeared before the Committee on Ways and Means for the last three years in reference to this business.

In the first place he minimized the effect of the making of phosphorus matches on the people engaged in the business, although every page of the evidence before the committee was full of the horrors of the disease known as phossy jaw, which attacks these people whenever for an instant they need the services of a dentist. Whenever a cavity appears in their teeth and they do not know it, or neglect it for a short time, this terrible disease comes on them. He says it can be prevented by proper measures of ventilation in the factory, and that this was testified to by everyone who appeared before the committee. There was one man, Mr. Huener, who testified to that. He lives on Long Island, and my friend [Mr. UNDERWOOD] has discovered that he is a Democrat. He testified that this disease did not appear in his factory, that he had never had a case, and that it was because his factory was properly ventilated.

But, Mr. Chairman, not only did witnesses appear who testified to phossy jaw among the men who worked for him, but they produced the affidavit of a witness whose face was almost eaten out by this horrible disease, who said that he contracted

it in the factory of Mr. Huener, this well-ventilated factory that Mr. Huener said had never had a case. [Applause.] So it was evident that Mr. Huener had been mistaken.

Mr. Huener does sell a thousand matches in a box for 5 cents, and compels the people to whom he sells them to retail them at 5 cents, while the Diamond Match Co. asks 5 cents for 500 matches. But, Mr. Chairman, the evidence before the committee was that these matches could be made of this harmless material at the same cost that they can be made of phosphorus, and that a thousand matches can be made just as cheaply in Mr. Huener's factory from this material, which does not bring on this disease, as can a thousand of phosphorus matches. The cost is the same, and there is nothing in this bill to prevent Mr. Huener from selling a double quantity of matches for the same price, if he desires so to do.

It is true that when the bill appeared two years and a half ago we discovered a joker in it that would have given to the Diamond Match Co. a greater monopoly than they now enjoy, and we refused to report the bill for that reason, and it was not until the Diamond Match Co. had thrown up their patent and filed a paper in the Patent Office, at the solicitation, or at least at the initiation, of the President of the United States, that it became possible to pass his bill without creating a great monopoly in matches. But that objection has been removed. Every objection has been removed, except to those gentlemen who fear they are going to smash the Constitution of the United States into smithereens if they pass this bill.

The gentleman asks, Where are we going to stop? We will stop to-night with the passage of this bill. [Applause.] We will not take up the pig-iron business just now, but whenever the facts present themselves we will exercise our judgment upon them. But here is an evil which should be stopped, which should be crushed out. Now is the opportunity to do it, and notwithstanding the arguments made by the gentleman from Alabama [Mr. UNDERWOOD], the leader of that side of the House, I believe that this House will pass this bill and eradicate this terrible disease. [Applause.]

Mr. KITCHIN. Mr. Chairman, I am really surprised at the position taken by the distinguished gentleman from New York [Mr. PAYNE], and yet I ought not to be surprised, because I recall that, in his opinion, he wrote in 1909 the best tariff bill that was ever put upon the statute books, and he has been trying to change his opinion of that tariff bill ever since. He is now in favor of reducing—after the report of the Tariff Board—every schedule in that bill, and in the minority report on the wool schedule he is bragging about his change.

Mr. PAYNE. I have got as far as wool so far.

Mr. KITCHIN. The gentleman has experienced a miraculous change on the Esch or Hughes phosphorus bill. Why, the gentleman from New York [Mr. PAYNE], who now holds up to us the picture of this terrible phossy jaw, this horrible disease that is destroying thousands and thousands of the laboring people day by day and year by year, as a reason for the passage of this bill, was its strongest opponent until two weeks ago. [Applause on the Democratic side.]

Mr. PAYNE. The gentleman is entirely mistaken. I voted in the committee to report the bill.

Mr. KITCHIN. I understand the gentleman a few weeks ago voted to report out the bill after we Democrats had control; but I remind the House and the country that when he and his party were in control of the House, though the Esch phosphorus bill was before his committee, of which he was chairman for a year, and after two elaborate hearings on it, he and his committee refused to relieve and protect the employees in the match factories against the disease which he now paints as so terrible, horrible, and deadly, and refused even to give the House the privilege of voting on the bill. When did he change? He changed, and the Republicans on the committee changed, only when they thought that the Democratic majority on the committee and in this House for humanity's sake was willing to report out and pass the bill. Now, the gentleman is talking about playing politics, and this after he and his party had refused to report out the bill, though before his committee for a year or more and after two elaborate hearings. Now, when the people of this country have given the Democratic Party the control of the House and its legislation, and you Republicans saw a majority of the Democrats on the committee and in the House in favor of the passage of this bill, then you tumbled over yourselves in the committee and in the House to give your sanction and indorsement to a bill that you had willfully repudiated and rejected when you were in power. [Applause on the Democratic side.]

I take the same position in regard to this bill as does the gentleman from Alabama [Mr. UNDERWOOD], the chairman of the committee. I do not believe in using the taxing power of

the Federal Government to destroy any legitimate, established business, especially when the purpose for which such power is invoked can be accomplished by legislative action of the respective States.

Mr. BATHRICK. Will the gentleman yield?

Mr. KITCHIN. I can not now. Now, my friend from Wisconsin [Mr. ESCH], who introduced the bill in the last as well as in this Congress, has match factories in his great reform, progressive State, but the Legislature of Wisconsin has refused to prohibit the manufacture of these so-called poisonous matches in the State.

Mr. ESCH. It is no more backward than all the other States in the Union.

Mr. KITCHIN. That is no excuse for a great progressive State like Wisconsin. [Laughter.] You are progressive; you are reformers. Now, in this great reform State, when the proposition was before its legislature, the good common sense of its members—Republicans, progressive followers of LA FOLLETTE—refused to pass a law prohibiting the manufacture of matches within the State, evidencing, my friends, that some of our good people are unduly alarmed over the exaggerated picture of this disease, that is less frequent and less dangerous than many other occupational diseases in this country. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. PETERS. Mr. Chairman, as a member of the committee which has reported this bill to prevent the use of white phosphorus in the manufacture of matches, I wish to call to the attention of the Members of this body the overwhelming demand throughout the country which has led to the proposed enactment of this legislation, legislation which is based on broad principles of humanity and which merits to be viewed from a liberal standpoint.

This bill aims to save those who are employed in the manufacture of matches from the ravages of the loathsome disease commonly known as "phossy jaw" and also to protect the general public from dangers which accompany the use of matches made with the use of white phosphorus, a deadly poison. This bill has not been hastily conceived. It is the result of a careful investigation of the conditions which it seeks to remedy. Investigation has been made not only by the committee through its witnesses, but by the Department of Commerce and Labor as well.

To tax an industry out of existence should only be done under circumstances of dire necessity. We believe that that necessity exists. There are some here, however, who seek to minimize the dangers of "phossy jaw." The subject of taxing phosphorus matches was before last Congress, and two hearings were given, one in December, 1910, and one in January, 1911.

A further hearing was held in January, 1912. At these hearings strong evidence was brought forward to show the existence of this dread disease. Moreover, the Department of Commerce and Labor in its investigation of 15 match factories found that 65 per cent of the employees of match factories were in constant danger of match poisoning, and that 95 per cent of the women employees and 83 per cent of the children under 16 years of age were exposed to these dangers.

At the hearing before the Ways and Means Committee on January 10, 1912, Dr. John B. Andrews, secretary of the American Association for Labor Legislation, said:

I have personally investigated about 150 cases in this country; that is, I have secured the records of these cases, have gone to the people and talked with them. I have talked to match manufacturers, I have gone to hospitals and talked to the medical men and dentists. I should say that I personally have seen 50 cases. I have also seen many people who are employees of match factories suffering as a result of the poisoning.

In the hearing of January 20, 1911, Dr. Thomas Oliver, the great English authority on occupational diseases, was quoted as follows:

A person may follow his occupation in a match works for years without suffering, or he may have left the works for two years or more, and unexpectedly symptoms and physical signs of phosphorus necrosis show themselves. However, it does not always require an exposure of many years to the fumes of phosphorus for a fatal result to follow.

Foreign countries have already recognized this danger and the necessity for controlling it. Germany, Denmark, Luxemburg, Netherlands, Switzerland, France, Great Britain and Ireland, Italy, and Spain have all signed the international phosphorus prohibition treaty.

This action on the part of other countries emphasizes the necessity for immediate action by the Federal Government. It has been found impossible to get the States to pass uniform laws to prohibit the manufacture of the white phosphorus match; the situation can only be met by Congress. Nor need we, in view of the statement made on January 11, 1911, by the manufacturers of 95 per cent of all the matches made in

America to wholesalers and dealers, feel any compulsion against taking immediate action. It reads:

In the event of the prohibition of white phosphorus matches we have no doubt of our ability to manufacture a strike-anywhere match which will be satisfactory to you and to your trade.

Why should there be further delay in the passing of this bill? A sense of right and of the broad principles of humanity toward those who toil demands that we afford them this protection from further exposure to this loathsome and fatal disease.

The Clerk read as follows:

Sec. 17. That this act shall take effect on July 1, 1912, except as previously provided in this act; and except as to its application to the sale or removal of white phosphorus matches by the manufacturers, as to which it shall take effect on January 1, 1914.

Mr. MANN. Mr. Chairman, I do not desire to detain the House at this late hour, and I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MCCALL. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from Massachusetts makes the same request. Is there objection?

There was no objection.

[Mr. FOSTER, Mr. BATHRICK, and Mr. PETERS, by unanimous consent, were given leave to extend their remarks in the RECORD.]

Mr. HUGHES of New Jersey. Mr. Chairman, I move to amend page 9, line 12, by striking out the word "twelve" and inserting the word "thirteen."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 12, strike out the word "twelve" and insert the word "thirteen" in lieu thereof.

The amendment was agreed to.

[By unanimous consent, Mr. BUCHANAN and Mr. RAINEY were given leave to extend their remarks in the RECORD.]

Mr. HUGHES of New Jersey. Mr. Chairman, I move to amend by striking out the word "fourteen," page 9, line 16, and inserting the word "fifteen."

The amendment was agreed to.

Mr. HUGHES of New Jersey. Mr. Chairman, I move that the committee do now rise and report the bill and amendments to the House, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee determined to rise, and the Speaker having resumed the chair, Mr. FLOOD of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 20842) placing a tax upon the manufacture of white phosphorus matches, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

Mr. HUGHES of New Jersey. Mr. Speaker, I move the previous question on the bill and amendments to its final passage. The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

There was no demand for a vote on a separate amendment.

The amendments were agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read a third time.

The SPEAKER. The question now is, Shall the amended bill pass?

Mr. LONGWORTH. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 162, nays 31, answered "present" 8, not voting 190, as follows:

YEAS—162.

Akin, N. Y.	Bulkley	Denver	Focht
Alexander	Burke, S. Dak.	Dickinson	Foster
Allen	Byrns, Tenn.	Difenderfer	Francis
Anderson, Minn.	Calder	Dixon, Ind.	French
Anderson, Ohio	Cannon	Dodds	Gardner, Mass.
Ansberry	Cline	Doremus	Gillett
Austin	Connell	Driscoll, D. A.	Godwin, N. C.
Ayres	Conry	Driscoll, M. E.	Goeke
Bathrick	Cooper	Dupré	Goodwin, Ark.
Boehne	Cox, Ohio	Esch	Gray
Booher	Crago	Farr	Green, Iowa
Bowman	Dalzell	Fitzgerald	Greene, Mass.
Browning	Davenport	Flood, Va.	Hamilton, Mich.
Buchanan	Davis, W. Va.	Floyd, Ark.	Hammond

Hayden	Lloyd	Pickett	Stone
Hayes	Lobeck	Post	Sulloway
Heflin	Longworth	Pou	Sulzer
Hensley	Loud	Powers	Sweet
Higgins	McCall	Pray	Switzer
Hill	McCreary	Rainey	Taggart
Howell	McKenzie	Raker	Talcott, N. Y.
Hubbard	McKinley	Rauch	Taylor, Colo.
Hughes, Ga.	McKinney	Rees	Taylor, Ohio
Hughes, N. J.	McLaughlin	Relly	Tilson
Jackson	McMorran	Rubey	Towner
Jacoway	Madden	Rucker, Colo.	Tribble
James	Maguire, Nebr.	Russell	Tuttle
Jones	Martin, Colo.	Saunders	Underhill
Kendall	Miller	Shackleford	Utter
Kennedy	Morrison	Sharp	Volstead
Kinkaid, Nebr.	Mott	Sherwood	Wedemeyer
Konop	Murdock	Simmons	Whitacre
Kopp	Murray	Smith, J. M. C.	White
LaFerty	Needham	Smith, Saml. W.	Wickliffe
La Follette	Neeley	Smith, N. Y.	Willis
Lawrence	Nelson	Speer	Wilson, Pa.
Lee, Pa.	Norris	Stedman	Wood, N. J.
Lewis	Nye	Steenerson	Young, Kans.
Lindbergh	O'Shaunessy	Stephens, Cal.	Young, Mich.
Linthicum	Payne	Sterling	
Littlepage	Peters	Stevens, Minn.	

NAYS—31.

Adamson	Callaway	Harrison, Miss.	Sisson
Aiken, S. C.	Candler	Hay	Stephens, Miss.
Bartlett	Dickson, Miss.	Henry, Tex.	Stephens, Tex.
Beall, Tex.	Faison	Kitchin	Thomas
Blackmon	Fergusson	Korbly	Underwood
Burleson	Garner	McCoy	Witherspoon
Burnett	Garrett	Mann	Young, Tex.
Byrnes, S. C.	George	Page	

ANSWERED "PRESENT"—8.

Clayton	Covington	Hamilton, W. Va.	Padgett
Collier	Goldfogle	Holland	Watkins

NOT VOTING—190.

Adair	Dyer	Johnson, Ky.	Prouty
Ainey	Edwards	Johnson, S. C.	Pujo
Ames	Ellerbe	Kahn	Randell, Tex.
Andrus	Estopinal	Kent	Ransdell, La.
Anthony	Evans	Kindred	Redfield
Ashbrook	Fairchild	Kinhead, N. J.	Reyburn
Barchfeld	Ferris	Knowland	Richardson
Barnhart	Fields	Konig	Riordan
Bartholdt	Finley	Lafean	Roberts, Mass.
Bates	Fordney	Lamb	Roberts, Nev.
Bell, Ga.	Fornes	Langham	Robinson
Berger	Foss	Langley	Roddenberry
Borland	Fowler	Lee, Ga.	Rodenberg
Bradley	Fuller	Legare	Rothermel
Brantley	Gallagher	Lenroot	Rouse
Broussard	Gardner, N. J.	Lever	Rucker, Mo.
Brown	Glass	Levy	Sabath
Burgess	Good	Lindsay	Scully
Burke, Pa.	Gould	Littleton	Sells
Burke, Wis.	Graham	McDermott	Sheppard
Butler	Gregg, Pa.	McGillcuddy	Sherley
Campbell	Gregg, Tex.	McGuire, Okla.	Sims
Cantrill	Griest	McHenry	Slayden
Carlin	Gudger	McKellar	Slemp
Carter	Guernsey	Macon	Sloan
Cary	Hamill	Maher	Small
Catlin	Hamlin	Malby	Smith, Cal.
Clark, Fla.	Hanna	Martin, S. Dak.	Smith, Tex.
Claypool	Hardwick	Matthews	Sparkman
Copley	Hardy	Mays	Stack
Cox, Ind.	Harris	Mondell	Stanley
Cravens	Harrison, N. Y.	Moon, Pa.	Stephens, Nebr.
Crumpacker	Hartman	Moon, Tenn.	Talbot, Md.
Cullop	Haugen	Moore, Pa.	Taylor, Ala.
Curley	Hawley	Moore, Tex.	Thayer
Currier	Heald	Morgan	Thistlewood
Curry	Helgesen	Morse, Wis.	Townsend
Danforth	Helm	Moss, Ind.	Turnbull
Daugherty	Henry, Conn.	Oldfield	Vreeland
Davidson	Hinds	Olmsted	Warburton
Davis, Minn.	Hobson	Palmer	Webb
De Forest	Houston	Parran	Weeks
Dent	Howard	Patten, N. Y.	Wilder
Dies	Howland	Patton, Pa.	Wilson, Ill.
Donohoe	Hughes, W. Va.	Pepper	Wilson, N. Y.
Doughton	Hull	Plumley	Woods, Iowa
Draper	Humphrey, Wash.	Porter	
Dwight	Humphreys, Miss.	Prince	

So the bill was passed.

The Clerk announced the following pairs:

For the session:

Mr. FORNES with Mr. BRADLEY.

Mr. RIORDAN with Mr. ANDRUS.

Mr. GLASS with Mr. SLEMP.

Until further notice:

Mr. SCULLY with Mr. WILSON of Illinois.

Mr. RUCKER of Missouri with Mr. WILDER.

Mr. RODDENBERRY with Mr. WARBURTON.

Mr. REDFIELD with Mr. SLOAN.

Mr. PALMER with Mr. ROBERTS of Massachusetts.

Mr. MOSS of Indiana with Mr. SELLS.

Mr. MCKELLAR with Mr. ROBERTS of Nevada.

Mr. LEVER with Mr. REYBURN.

Mr. LEGARE with Mr. PROUTY.

Mr. LEE of Georgia with Mr. PORTER.
 Mr. KINDRED with Mr. PLUMLEY.
 Mr. HOWARD with Mr. MORSE of Wisconsin.
 Mr. HARRISON of New York with Mr. OLMSTED.
 Mr. WILSON of New York with Mr. MONDELL.
 Mr. HARDY with Mr. MOORE of Pennsylvania.
 Mr. SMITH of Texas with Mr. MATTHEWS.
 Mr. WEBB with Mr. MARTIN of South Dakota.
 Mr. TOWNSEND with Mr. MALBY.
 Mr. SMALL with Mr. MCGUIRE of Oklahoma.
 Mr. SIMS with Mr. KNOWLAND.
 Mr. GUDGER with Mr. KENT.
 Mr. GREGG of Texas with Mr. HUGHES of West Virginia.
 Mr. GREGG of Pennsylvania with Mr. HOWLAND.
 Mr. GRAHAM with Mr. HENRY of Connecticut.
 Mr. FOWLER with Mr. HELGESEN.
 Mr. FINLEY with Mr. HEALD.
 Mr. FERRIS with Mr. HARRIS.
 Mr. EVANS with Mr. HANNA.
 Mr. ELLERBE with Mr. GOOD.
 Mr. EDWARDS with Mr. GARDNER of New Jersey.
 Mr. DOUGHTON with Mr. FORDNEY.
 Mr. DONOHUE with Mr. DE FOREST.
 Mr. CULLOP with Mr. CURRIER.
 Mr. CURLEY with Mr. DANFORTH.
 Mr. COX of Indiana with Mr. CURRY.
 Mr. CLAYTON with Mr. CARY.
 Mr. CLAYPOOL with Mr. BUTLER.
 Mr. CARLIN with Mr. BURKE of Pennsylvania.
 Mr. CANTRILL with Mr. BARTHOLOMT.
 Mr. BROWN with Mr. BARCHFIELD.
 Mr. BRANTLEY with Mr. ANTHONY.
 Mr. ADAIR with Mr. AINEY.
 Mr. CARTER with Mr. KAHN.
 Mr. MOON of Tennessee with Mr. PATTON of Pennsylvania.
 Mr. PADGETT with Mr. HUMPHREY of Washington.
 Mr. HELM with Mr. COPELEY.
 Mr. PUJO with Mr. HARTMAN.
 Mr. HOLLAND with Mr. DRAPER.
 Mr. HOUSTON with Mr. MOON of Pennsylvania (except wool bill).
 Mr. SARATH with Mr. CATLIN.
 Mr. RAUCH with Mr. LAFEAN.
 Mr. SPARKMAN with Mr. DAVIDSON.
 Mr. TURNBULL with Mr. DYER.
 Mr. HARDWICK with Mr. CAMPBELL.
 Mr. HINDS with Mr. GOULD.
 Mr. CLARK of Florida with Mr. LANGHAM.
 Mr. SHEPPARD with Mr. BATES.
 Mr. MAYS with Mr. THISTLEWOOD.
 Mr. LITTLETON with Mr. DWIGHT.
 Mr. BARNHART with Mr. CRUMPACKER.
 Mr. MCGILLICUDDY with Mr. GUERNSEY.
 Mr. BELL of Georgia with Mr. PRINCE.
 Mr. BEALL of Texas with Mr. HAWLEY.
 Mr. FIELDS with Mr. LANGLEY.
 Mr. HOBSON with Mr. FAIRCHILD.
 Mr. DENT with Mr. DAVIS of Minnesota.
 Mr. MACON with Mr. SMITH of California.
 Mr. GALLAGHER with Mr. FULLER.
 Mr. DIES with Mr. GRIEST.
 Mr. McDERMOTT with Mr. FOSS.
 Mr. WATKINS with Mr. VREELAND.
 Commencing Saturday:
 Mr. TAYLOR of Alabama with Mr. RODENBERG.
 For session and transferable on request of either party:
 Mr. COLLIER with Mr. WOODS of Iowa.
 From March 28 and ending March 29:
 Mr. TALBOTT of Maryland with Mr. PARRAN.
 Ending April 5:
 Mr. THAYER with Mr. AMES.
 From March 11 to April 2, inclusive:
 Mr. BURGESS with Mr. WEEKS.

Mr. COLLIER. Mr. Speaker, I am paired with the gentleman from Iowa, Mr. WOODS. I voted "no." The gentleman from Iowa [Mr. WOODS] did not vote, and I desire to withdraw my vote and answer "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. COLLIER, and he answered "Present."

The result of the vote was announced as above recorded.

On motion of Mr. HUGHES of New Jersey, a motion to reconsider the vote by which the bill was passed was laid on the table.

ADJOURNMENT.

Mr. HUGHES of New Jersey. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 48 minutes p. m.) the House adjourned until to-morrow, Friday, March 29, 1912, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting estimate of appropriation to pay judgment against First Lieut. David H. Biddle, United States Army, rendered by the Circuit Court of Meade County, S. Dak. (H. Doc. No. 649); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Board of Commissioners of the District of Columbia submitting estimate of appropriation to pay judgment and cost rendered against District of Columbia in favor of M. H. Hill (H. Doc. No. 648); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Assistant Secretary of War, transmitting a letter from the Chief of Engineers, together with copy of reports from Corps of Engineers, on preliminary examination and plans and estimates of cost of improvement of Leipsic River, Del., in compliance with river and harbor act approved February 27, 1911 (H. Doc. No. 647); to the Committee on Rivers and Harbors and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. REDFIELD, from the Committee on the District of Columbia, to which was referred the bill (H. R. 20840) to provide for deficiencies in the fund for police and firemen's pensions and relief in the District of Columbia, reported the same with amendment, accompanied by a report (No. 460), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill (S. 2577) authorizing the lease of school lands for public-park purposes by the State of Washington for a longer period than five years, reported the same without amendment, accompanied by a report (No. 470), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. TILSON, from the Committee on Military Affairs, to which was referred the bill (H. R. 11627) to correct the military record of Barkley S. Denison, reported the same with amendment, accompanied by a report (No. 461), which said bill and report were referred to the Private Calendar.

Mr. ANTHONY, from the Committee on Military Affairs, to which was referred the bill (H. R. 16993) for the relief of Mathew T. Fuller, reported the same without amendment, accompanied by a report (No. 462), which said bill and report were referred to the Private Calendar.

Mr. DICKINSON, from the Committee on Claims, to which was referred the bill (H. R. 4125) for the relief of the heirs of Benjamin S. Roberts, reported the same without amendment, accompanied by a report (No. 463), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 2127) for the relief of the heirs of Robert S. Gill, reported the same without amendment, accompanied by a report (No. 464), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 3469) for the relief of the American Surety Co., of New York, reported the same without amendment, accompanied by a report (No. 465), which said bill and report were referred to the Private Calendar.

Mr. LEVY, from the Committee on Claims, to which was referred the bill (S. 2601) for the relief of Douglas B. Thompson, reported the same without amendment, accompanied by a report

(No. 466), which said bill and report were referred to the Private Calendar.

Mr. DICKINSON, from the Committee on Claims, to which was referred the bill (S. 2819) to reimburse certain fire insurance companies the amounts paid by them for property destroyed by fire in suppressing the bubonic plague in the Territory of Hawaii in the years 1899 and 1900, reported the same with amendment, accompanied by a report (No. 467), which said bill and report were referred to the Private Calendar.

Mr. MONDELL, from the Committee on the Public Lands, to which was referred the bill (H. R. 16191) to convey certain real estate in the village of Jonesville, Hillsdale County, Mich., reported the same with amendment, accompanied by a report (No. 468), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 5198) to authorize the issuance of patent to James W. Chrisman for the southeast quarter of the northeast quarter, the southeast quarter and the southeast quarter of the southwest quarter of section 13, and the north half of the northeast quarter of section 24, township 29 north, range 13 west of the sixth principal meridian, reported the same without amendment, accompanied by a report (No. 469), which said bill and report were referred to the Private Calendar.

Mr. HAMILTON of West Virginia, from the Committee on Military Affairs, to which was referred the bill (H. R. 16493) to correct the military record of William Z. Norman, reported the same with amendment, accompanied by a report (No. 471), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were thereupon referred as follows:

A bill (H. R. 18509) granting an increase of pension to Thomas Hart; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 15402) granting an increase of pension to C. W. Brown; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 19508) granting a pension to Mrs. A. M. Hughes; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 17622) granting an increase of pension to Mathias Schenz; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 15104) granting a pension to Rivoleete Francis De Moisey; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3571) granting a pension to Elijah Morgan; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 15702) granting a pension to Catherine Milan; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 14431) granting a pension to D. B. Finnell; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 18564) granting an increase of pension to Rose B. Ord; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. COVINGTON: A bill (H. R. 22521) to provide American register for the steamer *Minnesota* upon certain conditions; to the Committee on the Merchant Marine and Fisheries.

By Mr. RAKER: A bill (H. R. 22522) appropriating money for the purpose of making field examinations of selected lieu land in California; to the Committee on Appropriations.

By Mr. DAVENPORT: A bill (H. R. 22523) to regulate the expenditure of the funds of the Cherokee, Creek, and Seminole Tribes of Indians and for the payment of salaries and expenses of tribal officers; to the Committee on Indian Affairs.

By Mr. MONDELL: A bill (H. R. 22524) for the restoration under certain conditions of lands included in power-site withdrawals; to the Committee on the Public Lands.

By Mr. ANDERSON of Ohio: A bill (H. R. 22525) to pension certain persons who are deaf or partially deaf from causes arising while in the military service of the United States; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 22526) to amend section 8 of an act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906; to the Committee on Interstate and Foreign Commerce.

By Mr. BURNETT: A bill (H. R. 22527) to further restrict the admission of aliens into the United States; to the Committee on Immigration and Naturalization.

By Mr. STEPHENS of Texas: A bill (H. R. 22528) to authorize the acceptance of trusts from the Pueblo Indians of New Mexico; to the Committee on Indian Affairs.

By Mr. ANDERSON of Ohio: A bill (H. R. 22529) authorizing the Secretary of the Interior to set aside certain lands to be used as a sanitarium by the Order of Owls; to the Committee on the Public Lands.

By Mr. LOBECK: Resolution (H. Res. 467) instructing the Attorney General to lay before the House of Representatives all correspondence and information on the subject of the violation of the antitrust act by the International Harvester Co.; to the Committee on the Judiciary.

By Mr. ADAMSON: Resolution (H. Res. 468) authorizing the printing of Panama hearings; to the Committee on Printing.

By Mr. STANLEY: Resolution (H. Res. 469) appropriating \$4,000 for an investigation to ascertain whether there have been violations of the antitrust and other acts by the United States Steel Corporation and other corporations; to the Committee on Accounts.

By Mr. ALEXANDER: Resolution (H. Res. 470) authorizing the payment of expenses incurred by the Committee on the Merchant Marine and Fisheries under House resolution 425, authorizing the committee to investigate methods and practices of various lines of ships, both of the United States and foreign countries, etc.; to the Committee on Accounts.

By Mr. HENRY of Texas: Resolution (H. Res. 471) providing for the printing of 2,000 copies of the hearings on the Lawrence strike; to the Committee on Printing.

By Mr. KONIG: Resolution (H. Res. 472) for the relief of Rose McCall; to the Committee on Accounts.

By Mr. NORRIS: Joint resolution (H. J. Res. 282) to provide for the appointment of a farmers' national cooperative credit commission; to the Committee on Agriculture.

By Mr. SABATH: Joint resolution (H. J. Res. 283) for the appointment of a committee to investigate the various systems of old-age pensions and annuities; to the Committee on Rules.

By Mr. LITTLEPAGE: Concurrent resolution (H. Con. Res. 44) to create a joint special committee to investigate controversies or disputes between employers and employees; to the Committee on Rules.

By Mr. GOLDFOGLE: Memorial from the Senate of the State of New York, favoring building one of the new battleships at the Brooklyn Navy Yard; to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Ohio: A bill (H. R. 22530) granting an increase of pension to Mary C. Edwards; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 22531) granting a pension to George R. Weight; to the Committee on Pensions.

Also, a bill (H. R. 22532) granting a pension to Jennie Adkins; to the Committee on Pensions.

Also, a bill (H. R. 22533) to restore Second Lieut. Frank L. Beals, retired, to the active list of the Army; to the Committee on Military Affairs.

By Mr. BATES: A bill (H. R. 22534) granting an increase of pension to Anna V. Rice; to the Committee on Invalid Pensions.

By Mr. BROUSSARD: A bill (H. R. 22535) for the relief of heirs of Francis Palombo; to the Committee on War Claims.

By Mr. BURKE of Wisconsin: A bill (H. R. 22536) granting an increase of pension to George Pfluger; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 22537) for the relief of the Tusculum Cumberland Presbyterian Church, of Davidson County, Tenn.; to the Committee on War Claims.

By Mr. CALDER: A bill (H. R. 22538) granting an increase of pension to John Phillips; to the Committee on Invalid Pensions.

By Mr. CRAVENS: A bill (H. R. 22539) for the relief of Susan Patterson; to the Committee on War Claims.

By Mr. CLARK of Missouri: A bill (H. R. 22540) granting an increase of pension to Jesse Dorsett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22541) granting an increase of pension to John Akridge; to the Committee on Invalid Pensions.

By Mr. CURRY: A bill (H. R. 22542) for the relief of the heirs of Francisco Barela; to the Committee on War Claims.

Also, a bill (H. R. 22543) for the relief of the heirs of Bonifacio Coca, deceased; to the Committee on Claims.

Also, a bill (H. R. 22544) for the relief of the heirs of Pablo Archuleta, deceased; to the Committee on Claims.

Also, a bill (H. R. 22545) for the relief of the estate of Fritz Eggert, deceased; to the Committee on Claims.

By Mr. DIFENDERFER: A bill (H. R. 22546) granting an increase of pension to Joseph Bowman; to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 22547) granting an increase of pension to Chester C. Leach; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 22548) granting an increase of pension to Mary C. Warren; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 22549) granting a pension to Emma F. Berry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22550) granting an increase of pension to Jeremiah Durgin; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 22551) granting a pension to Richard E. Goodwin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22552) granting an increase of pension to Myron L. Spear; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22553) granting an increase of pension to Samuel T. Ferrier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22554) for the relief of heirs of Rumaldo Leon, deceased; to the Committee on Claims.

By Mr. KINKAID of Nebraska: A bill (H. R. 22555) granting an increase of pension to John Lamberson; to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 22556) for the relief of Olaf Nelson; to the Committee on Claims.

By Mr. NEELEY: A bill (H. R. 22557) granting a pension to William S. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22558) granting an increase of pension to Clyde N. Gregson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22559) granting an increase of pension to J. M. Burson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22560) granting an increase of pension to George E. Hatfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22561) granting an increase of pension to Godfrey Bohrer; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 22562) granting an increase of pension to Pauline M. Peycke; to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 22563) granting an increase of pension to Joseph E. Chipley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22564) granting an increase of pension to C. N. Burns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22565) granting a pension to David H. Robey; to the Committee on Invalid Pensions.

By Mr. REILLY: A bill (H. R. 22566) granting an increase of pension to Patrick H. Cronin; to the Committee on Invalid Pensions.

By Mr. RIORDAN: A bill (H. R. 22567) granting an increase of pension to James F. Conway; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 22568) granting an increase of pension to James C. Summers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22569) granting an increase of pension to Luke Cassidy; to the Committee on Invalid Pensions.

By Mr. SIMMONS: A bill (H. R. 22570) granting a pension to Cora A. C. Stevens; to the Committee on Invalid Pensions.

By Mr. SLOAN: A bill (H. R. 22571) granting a pension to Susan J. Lewis; to the Committee on Invalid Pensions.

By Mr. J. M. C. SMITH: A bill (H. R. 22572) granting an increase of pension to Henry R. Miller; to the Committee on Invalid Pensions.

By Mr. STANLEY: A bill (H. R. 22573) for the relief of the estate of Joel F. Yager, deceased; to the Committee on War Claims.

By Mr. UNDERHILL: A bill (H. R. 22574) granting a pension to George W. Story; to the Committee on Pensions.

By Mr. WHITE: A bill (H. R. 22575) granting an increase of pension to William Lazarus; to the Committee on Invalid Pensions.

By Mr. WILLIS: A bill (H. R. 22576) granting a pension to Benjamin F. Wright; to the Committee on Pensions.

By Mr. WHITE: A bill (H. R. 22577) granting an increase of pension to Henry B. Mechling; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 22578) granting a pension to Jessie Canterbury; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANDERSON of Minnesota: Petition of John W. Powers and 3 others, of Brownsville, Minn., against extension of the parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. ANSBERRY: Petition of H. V. Allen, of Van Wert, Ohio, for enactment of House bill 20595, amending the copyright act of 1909; to the Committee on Patents.

By Mr. ANTHONY: Petitions of citizens of the State of Kansas, for enactment of House bill 21225, relating to oleomargarine; to the Committee on Agriculture.

Also, petitions of M. Noll and others of Atkinson, and the Davis Mercantile Co., of Topeka, Kans., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. ASHBROOK: Petition of John Meredith and 20 other citizens, of Newark, Ohio, protesting against legislation tending to prohibit the interstate commerce of liquors; to the Committee on the Judiciary.

Also, petition of the Chamber of Commerce of Cleveland, Ohio, in favor of House bill 17936; to the Committee on Coinage, Weights, and Measures.

Also, petition of the Derthick Grange of Licking County, Ohio, for passage of the proposed parcel-post service; to the Committee on the Post Office and Post Roads.

By Mr. BATES: Petition of Branch No. 1137, National Polish Alliance, protesting against legislation imposing the so-called educational test on immigrants; to the Committee on Immigration and Naturalization.

Also, petition of Granges Nos. 502 and 1573, Patrons of Husbandry, for parcel-post legislation, etc.; to the Committee on the Post Office and Post Roads.

Also, petition of W. F. Potts, Son & Co., of Philadelphia, Pa., opposing House bill 16844, to regulate the manufacturer's mark on articles of their own make; to the Committee on Interstate and Foreign Commerce.

Also, petition of Schatt & Morgan Cutlery Co., of Titusville, Pa., opposing the Underwood bill in its proposed schedule on cutlery; to the Committee on Ways and Means.

Also, petition of Erie Central Labor Union, protesting against the removal of the tariff on wood and metal patterns; to the Committee on Ways and Means.

Also, petition of Standard Chair Co., of Union City, Pa., protesting against House bill 20182, changing the duty on Chinese nut oil; to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of Philadelphia, praying for continuance of the Tariff Commission; to the Committee on Ways and Means.

Also, petition of Erie Printing Pressmen and Assistants' Union, praying for increased compensation to pressmen in the Government Printing Office; to the Committee on Printing.

Also, petition of the mayor and councils of the city of Erie, Pa., for coinage of 3-cent pieces; to the Committee on Coinage, Weights, and Measures.

Also, petitions of citizens of the State of Pennsylvania, for enactment of House bill 20595, amending the copyright act of 1909; to the Committee on Patents.

Also, petitions of granges, Patrons of Husbandry, in the State of Pennsylvania, for enactment of House bill 19133, providing for a governmental system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. BOWMAN: Memorial of J. E. Patterson, of Wilkes-Barre, Pa., opposing House bill 21100; to the Committee on the Judiciary.

Also, memorial of Exeter Grange, No. 668, Exeter, Luzerne County, Pa., favoring House bill 19133; to the Committee on Interstate and Foreign Commerce.

Also, memorial of J. E. Patterson, Wilkes-Barre, Pa., opposing provision in House bill 21279, the Post Office appropriation bill, section 6, authorizing membership in organizations of postal employees and affiliation of same with labor associations outside of public service; to the Committee on the Post Office and Post Roads.

Also, memorial of the Hazleton Motor Club, Hazleton, Pa., opposing House bill 5955, referring to Federal legislation on

automobiles; to the Committee on Interstate and Foreign Commerce.

Also, petition of John McCara and 24 other citizens of Alden Station, Pa., favoring the building at a Government navy yard of one battleship; to the Committee on Naval Affairs.

By Mr. BROUSSARD: Papers to accompany bill for the relief of estate of Francis Palombo; to the Committee on War Claims.

By Mr. BURKE of South Dakota: Petition of Black Hills Pomona Grange, No. 5, Patrons of Husbandry, for parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. BURKE of Wisconsin: Petition of Lodge No. 104, Brotherhood of Railway Carmen, of Fond du Lac, Wis., for construction of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of the Wisconsin Farmers' Institute, for retention of the present tax on oleomargarine; to the Committee on Agriculture.

Also, petition of Wisconsin Farmers' Institute, for a general parcel-post law; to the Committee on the Post Office and Post Roads.

By Mr. BYRNS of Tennessee: Papers to accompany bill for the relief of the Tusculum Cumberland Presbyterian Church, of Davidson County, Tenn.; to the Committee on War Claims.

By Mr. CALDER: Petition of the board of directors of the Maritime Association of the Port of New York, for establishment of marine schools; to the Committee on the Merchant Marine and Fisheries.

By Mr. CAMPBELL: Petitions of citizens of the State of Kansas, for construction of one battleship in a Government navy yard; to the Committee on Naval Affairs.

By Mr. CATLIN: Petitions of Union No. 10, Photo-Engravers' Union, and Local Union No. 67, United Garment Workers of America, for passage of House bill 20423, providing for the registration of labels of labor organizations in the District of Columbia and Territories; to the Committee on the Judiciary.

Also, petitions of citizens of St. Louis, Mo., and Local No. 37, Coopers' International Union, urging that a clause be inserted in this year's naval appropriation bill providing for the building of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, memorial of Beardstown (Ill.) Chamber of Commerce, against granting permit to increase the flow of waters of Lake Michigan down or through the valley of the Illinois River; to the Committee on Rivers and Harbors.

Also, memorial of St. Louis (Mo.) Harness Manufacturers' Association, in opposition to parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of residents of St. Louis, Mo., for enactment of House bill 20281, providing for a reduction of the tax on oleomargarine; to the Committee on Agriculture.

Also, memorial of Garrison No. 113, Army and Navy Union, indorsing House bill 17040, providing for pensions for certain soldiers; to the Committee on Pensions.

Also, memorial of Camp Corporal Lorraine B. De Witt, Army of the Philippines, for passage of House bills 17470 and 18502, providing for extension of the pension laws to certain persons; to the Committee on Pensions.

By Mr. COVINGTON: Petition of members of the Woman's Christian Temperance Union of Bridgeley, Md., favoring the passage of the Kenyon-Sheppard interstate liquor-shipment bill; to the Committee on the Judiciary.

By Mr. CURLEY: Petitions of citizens of the State of Massachusetts, for construction of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, memorial of the Los Angeles (Cal.) Chamber of Commerce, relative to Panama Canal tolls; to the Committee on Interstate and Foreign Commerce.

Also, petition of John A. Boyd Camp, No. 2, Department of Massachusetts, United Spanish War Veterans, for enactment of House bill 17470; to the Committee on Pensions.

By Mr. DE FOREST: Petition of citizens of the State of New York, for construction of one battleship in a Government navy yard; to the Committee on Naval Affairs.

By Mr. DODDS: Petition of voters of Ithaca, Gratiot County, Mich., favoring the passage of Kenyon-Sheppard interstate liquor shipment bill; to the Committee on the Judiciary.

Also, petition of E. E. Asah and other citizens of Osceola County, favoring the old-age pension bill introduced by Victor L. Berger; to the Committee on Pensions.

By Mr. ESCH: Petition of Fred C. Rieck and others, of Wisconsin, favoring the building of one battleship in a Government navy yard; to the Committee on Naval Affairs.

By Mr. FITZGERALD: Petitions of Peter M. Lund and 25 other citizens, electricians, and machinists; A. N. Arvesen and 26 other electricians and workmen; Hans P. Hansen and 25 other workmen; T. L. Finnerty, electrician, and 16 others; Gillespie E. Whitman, helper machinist, and 16 others; Fred P. Steffer, drug clerk, and 25 others; John Harvey, painter, and 25 others; Hugh O'Malley, boiler maker, and 25 others; Nathan Ruderman, printer, and 16 others; John M. Levin, electrician, and 25 others; John Sager, teamster, and 25 others; and Margaret Batchelder, social worker, and 25 others, favoring the Berger old-age pension bill; to the Committee on Pensions.

By Mr. FULLER: Petitions of A. Mottaz, of Ottawa, Ill.; of August Martens, of Peru, Ill.; of William Burmester, of Waterman, Ill.; and of E. W. Cleveland, of Rockford, Ill., all in favor of a parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of R. C. Brown, clerk of the United States district court at Springfield, Ill., favoring the passage of House bill 21226, relating to salaries of clerks of United States courts; to the Committee on the Judiciary.

Also, petition of La Salle County Carbon Coal Co., of La Salle, Ill., favoring the creation of the proposed commission on industrial relations; to the Committee on Labor.

Also, petition of Dr. Annie B. Alguire, or Belvidere, Ill., favoring the passage of the Owen bill, providing for a Federal department of public health; to the Committee on Interstate and Foreign Commerce.

Also, petition of J. C. Ames Lumber Co. and other concerns, of Streator, Ill., against the passage of the Clayton bill (H. R. 13578) to define and punish contempt of court; to the Committee on the Judiciary.

Also, petition of International Reform Bureau (Inc.), favoring the passage of the Kenyon-Sheppard interstate liquor bill, etc.; to the Committee on the Judiciary.

Also, petition of Los Angeles Chamber of Commerce, of Los Angeles, Cal., relating to Panama Canal tolls, etc.; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Illinois Butter Manufacturers' Improvement Association, against the passage of the Lever bill, and favoring the passage of the Haugen bill (H. R. 21225); to the Committee on Agriculture.

Also, petition of the St. Joseph's Society, of Peru, Ill., against the passage of any pending prohibition or interstate commerce liquor measures; to the Committee on the Judiciary.

By Mr. GOLDFOGLE: Petition of R. D. Harvey, of New York City, for enactment of the Esch phosphorus bill; to the Committee on Ways and Means.

Also, memorial of the American League of Associations, protesting against proposed parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of the Business Men's Association of Elmira, N. Y., for 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of Camp No. 50, Department of New York, United Spanish War Veterans, for enactment of House bill 17470; to the Committee on Pensions.

Also, petition of board of directors of the Maritime Association of the Port of New York, for establishment of marine schools; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Philadelphia Board of Trade, protesting against House bill 16844; to the Committee on Interstate and Foreign Commerce.

By Mr. GOOD: Petition of citizens of Grundy County, Iowa, for enactment of the Haugen oleomargarine bill; to the Committee on Agriculture.

By Mr. HAMMOND: Petition of H. W. Foote and 51 others, of Trosky, Minn., in opposition to the Lever oleomargarine bill and favoring passage of the Haugen bill; to the Committee on Agriculture.

By Mr. HANNA: Petition of citizens of Berwick, N. Dak., relative to measures relating to Catholic Indian mission interests; to the Committee on Indian Affairs.

Also, petition of citizens of Anamoose, N. Dak., for parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Anamoose, N. Dak., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Sargent, N. Dak., for enactment of the Kenyon-Sheppard interstate liquor bill, etc.; to the Committee on the Judiciary.

Also, petition of citizens of New Salem, N. Dak., against removing the tax on colored oleomargarine; to the Committee on Agriculture.

By Mr. HAYDEN: Petition of the Woman's Christian Temperance Union of Camp Verde, Ariz., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. HILL: Memorials of Group No. 31, Polish National Alliance of the United States, of Danbury, and Lodge No. 473, Independent Order B'rith Abraham, of Bridgeport, Conn., protesting against certain immigration measures pending before Congress; to the Committee on Immigration and Naturalization.

Also, petition of members of Improved Order of Red Men and other citizens of Winsted, Conn., for an American Indian memorial and museum building in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. HOWELL: Petitions of H. S. Sims, of Ogden; L. M. Clement, of Springville; and Wilford Horne, of Salt Lake City, Utah, for enactment of House bill 20595, amending the copyright act of 1909; to the Committee on Patents.

By Mr. KAHN: Memorial of California Club, of California, representing 16,517 indorsers, in favor of a special appropriation for enforcing the white-slave traffic act; to the Committee on Appropriations.

Also, petitions of Daniel W. Reardon, Palace Theater, 1708 Union Street; Herman Wobber, Odeon Theater; Levin & Gordon, Broadway Theater; Harry Baehr, Class A Theater; S. H. Levin, Elite Theater; A. C. Karski, Rex Theater; Levi Karski Oppenheimer, Sunset Theater; Arendt and Levy, Fischer's Theater; Automatic Vaudeville Co.; Pacific Amusement Co.; B. N. Michelson; and Charles F. Maio, all of San Francisco, favoring House bill 20595; to the Committee on Patents.

Also, petition of Mr. F. H. Ford, of Los Angeles, Cal., and of Mr. H. C. Sickle, San Francisco, opposing House bill 17033; to the Committee on Mines and Mining.

Also, petition of Marine Engineers' Beneficial Association, No. 35, of San Francisco, Cal., indorsing several bills amending sections 4402, 4404, and 4414, Revised Statutes; to the Committee on the Merchant Marine and Fisheries.

Also, memorials of Union Gas Engine Co., of San Francisco; Frazer & Peterson, of San Francisco; the Home Industry League of California; the Imperial Gas Engine Co., of San Francisco; and the Standard Gas Engine Co., of San Francisco, opposing House bill 18788, Sherwood's bill regulating gasoline power propelled boats; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the San Francisco Chamber of Commerce, favoring no tolls being charged for American-built vessels using Panama Canal on intercoast voyages; to the Committee on Interstate and Foreign Commerce.

Also, memorials of Sommer & Kaufmann and Retail Shoe Dealers' Association, of San Francisco, Cal., opposing House bill 16844; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the National Federation, United States Internal Revenue Storekeepers, Gaugers, and Storekeeper-gaugers, San Francisco, Cal., favoring House bill 17017; to the Committee on Ways and Means.

Also, memorial of the Shipowner & Merchants' Tug Boat Co., San Francisco, Cal., favoring House bill 18788; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the California Club of San Francisco, favoring the passage of the Kent bill, giving the right of franchise to every native-born American woman of the United States, irrespective of the nationality of her husband; to the Committee on the Judiciary.

Also, memorial of Grape Growers' Association of San Francisco; California Wine Association, San Francisco; Italian-Swiss Colony, San Francisco, Cal.; and I. W. Hellman, jr., San Francisco, opposing House bill 16214; to the Committee on the Judiciary.

Also, memorials of Crown Distilleries Co., of San Francisco, Cal., and Coffin Reddington Co., of San Francisco, Cal., opposing Webb and Kenyon bills (S. 4043 and H. R. 17593); to the Committee on the Judiciary.

Also, memorial of the secretary of the Public Library of San Francisco, Cal., favoring House bill 19546; to the Committee on the Post Office and Post Roads.

Also, memorial of the Board of Trade of San Francisco, Cal., opposing parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of C. A. Fair and 18 others, East Oakland, Cal., favoring parcel-post bill (H. R. 14); to the Committee on the Post Office and Post Roads.

Also, memorial of the Ladies' Auxiliary, Ancient Order of Hibernians, San Francisco, demanding the investigation of charges against Misses Fitzgerald and Joesten; to the Committee on the Post Office and Post Roads.

Also, memorial of German Catholic Societies of San Francisco, Cal., demanding investigation of charges against the Misses

Fitzgerald and Joesten; to the Committee on the Post Office and Post Roads.

Also, memorial of the Chamber of Commerce of San Francisco, Cal., favoring the appropriation for target range on San Francisco Bay; to the Committee on Naval Affairs.

Also, memorial of the Steam Schooner Association, of San Francisco, Cal., opposing dissolution of Revenue-Cutter Service; to the Committee on Naval Affairs.

Also, memorial of the California Civic League; Oro Fino Parlor, No. 9, N. D. G. W.; civic department, California Club of San Francisco, with 450 members, favoring appropriation for enforcement of white-slave laws; to the Committee on Appropriations.

Also, memorial of the International Union of Steam Engineers, favoring the retention of the mint at San Francisco; to the Committee on Appropriations.

Also, memorials of the California Miners' Association, of San Francisco; the Civic League of Improvement Clubs; the Marine Engineers' Association; and the Clearing House Association, of San Francisco, Cal., opposing the closing of the mint at San Francisco, Cal.; to the Committee on Appropriations.

Also, memorial of St. Peter's Benevolent Society, of San Francisco, Cal., and the Federation of German Catholic Societies of San Francisco, opposing Stephens resolution relative to Catholic Indian missions; to the Committee on Indian Affairs.

Also, memorials of T. L. Miller, Smith Emery & Co., and Braun-Knecht-Heinmann Co., of San Francisco, Cal., opposing House bill 17033; to the Committee on Mines and Mining.

Also, petition of T. C. Friedlander, Chamber of Commerce, San Francisco, Cal., favoring appropriation for light and fog stations on coast of California; to the Committee on Rivers and Harbors.

Also, memorial of State Conservation of California, favoring House bill 18326; to the Committee on Rivers and Harbors.

Also, memorial of J. Homer Fritch, San Francisco, Cal., favoring appropriation for improving Willapa Harbor; to the Committee on Rivers and Harbors.

Also, memorial of M. O. Watrous, San Francisco, Cal., against House bill 13500; to the Committee on Immigration and Naturalization.

Also, memorial of Local Union No. 151, International Brotherhood of Electrical Workers, of San Francisco, Cal., favoring House bill 5601; to the Committee on Labor.

Also, memorial of R. J. Luttringer, San Francisco, favoring House bill 17017; to the Committee on Expenditures in the Treasury Department.

Also, memorial of the State Conservation Commission of California, favoring House bill 18227; to the Committee on the Public Lands.

Also, petition of New Era League of California, San Francisco, favoring House bill 20349; to the Committee on the Judiciary.

Also, petition of United Garment Workers' Union, No. 131, San Francisco, Cal., favoring House bill 13500; to the Committee on Immigration and Naturalization.

Also, petition of A. S. Griffith, San Francisco, Cal., favoring Esch bill; to the Committee on Ways and Means.

Also, petition of Dunham, Carrigan & Hayden Co., San Francisco, Cal., opposing parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of Labor Council, San Francisco, Cal., opposing change of mint to assay office; to the Committee on Coinage, Weights, and Measures.

Also, petition of California Metal Trades Association, opposing House bill 18788, equipment of motor boats on navigable streams; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Chamber of Commerce of San Francisco, Cal., favoring suspension bridge from Oakland to San Francisco; to the Committee on Interstate and Foreign Commerce.

Also, petition of Chamber of Commerce of San Francisco Cal., favoring Adamson bill for four revenue cutters for coast of California; to the Committee on Naval Affairs.

Also, petition of M. Schussler & Co. (Inc.), favoring amendment to corporation-tax law; to the Committee on Ways and Means.

Also, petition of W. H. Storms, San Francisco, Cal., opposing the Raker bill; to the Committee on Mines and Mining.

Also, memorial of the Chamber of Commerce, San Francisco, Cal., opposing roadway as Lincoln memorial; to the Committee on the Library.

Also, memorial of the Dairy Delivery Co., San Francisco, Cal., against Lever oleomargarine bill; to the Committee on Agriculture.

Also, memorial of the Board of Trade, San Francisco, Cal., favoring appropriation for improvements in Yosemite Park; to the Committee on Public Buildings and Grounds.

Also, memorial of B. H. Dibble, San Francisco, Cal., favoring Weeks bill for protection of birds; to the Committee on Agriculture.

Also, memorial of the Conservation Commission of the State of California, Sacramento, Cal., favoring House bill 18227; to the Committee on the Public Lands.

By Mr. KNOWLAND: Petition of the board of trustees of the California State Mining Bureau, San Francisco, Cal., protesting against the passage of House bill 17033, providing for the establishment of a Government experiment station at Auburn, Placer County, Cal.; to the Committee on Mines and Mining.

Also, memorial of the San Francisco Labor Council, San Francisco, Cal., favoring an investigation of the strike at Lawrence, Mass.; to the Committee on Rules.

By Mr. LLOYD: Petition of sundry citizens of Lewis County, Mo., and 36 citizens of Putnam County, Mo., favoring parcel post; to the Committee on the Post Office and Post Roads.

By Mr. LOBECK: Petition of Henry Volz and other citizens of Omaha and South Omaha, Nebr., asking that one battleship be constructed in a Government navy yard; to the Committee on Naval Affairs.

Also, petitions of citizens of the State of Nebraska, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. LOUD: Petition of C. H. Keyworth, of Coleman, Mich., and 47 other dairymen of Midland County, Mich., protesting against passage of the Lever oleomargarine bill; to the Committee on Agriculture.

By Mr. McMORRAN: Petition of citizens of Evergreen, Mich., for passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. MANN: Petition of the Congregational Club, of Chicago, Ill., for reimbursing the contributors to the ransom of Ellen M. Stone; to the Committee on Claims.

By Mr. MONDELL: Petitions of citizens of Howard and Knight, Wyo., urging the enactment of a general parcel-post law; to the Committee on the Post Office and Post Roads.

Also, memorial of Admiral John W. Phillips Post, No. 19, of Denver, Colo., in support of Senate bill 4033, to provide for the payment to members of the Army travel pay and allowances; to the Committee on Military Affairs.

By Mr. MOTT: Memorial of Earlville Grange, No. 1260, Patrons of Husbandry, Earlville, N. Y., against the Lever oleomargarine bill; to the Committee on Agriculture.

Also, memorial of the Congregational Club, of Chicago, favoring the repayment of the Stone ransom; to the Committee on Claims.

By Mr. NEEDHAM: Memorial of the Los Angeles (Cal.) Chamber of Commerce, favoring 1-cent rate of letter postage (S. 4308 and H. R. 17736); to the Committee on the Post Office and Post Roads.

Also, memorial of the California State Veterinary Medical Association, of San Francisco, Cal., favoring House bill 16843, to consolidate the veterinary service of the United States Army and to increase its efficiency; to the Committee on Military Affairs.

Also, memorial of the California Civic League, of San Francisco, with 2,000 members, advocating the creation by Congress of a Federal commission on industrial relations; to the Committee on Labor.

Also, petition of Smith Bros., of Coalinga, Cal., and 17 other merchants; The Hub and 20 other merchants, of Hanford, Cal.; Hanford Jewelry Co. and 21 other merchants, of Hanford, Cal., opposing the passage of parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of George E. Hart and many other citizens, of Pacific Grove, Cal., favoring House bill 14 (Sulzer's parcel-post bill); to the Committee on the Post Office and Post Roads.

Also, memorial of local section of the American Institute of Electrical Engineers, favoring establishing at San Francisco a branch laboratory of standards; to the Committee on Coinage, Weights, and Measures.

Also, memorial of the Chamber of Commerce of the city of San Diego, Cal., opposing the dissolution of the Revenue-Cutter Service; to the Committee on Expenditures in the Treasury Department.

By Mr. NEELEY: Petition of citizens of Dighton, Kans., for passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of citizens of Fowler, Kans., for appointment of a commission to investigate the parcel post; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of the State of Kansas, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. NYE: Petition of citizens of Minneapolis, Minn., for enactment of the Berger old-age pension bill; to the Committee on Pensions.

By Mr. PARRAN: Papers to accompany bill for the relief of Owen Matthews (H. R. 17413); to the Committee on Military Affairs.

Also, petition of 52 citizens of Baltimore City, favoring construction of one battleship in a Government navy yard; to the Committee on Naval Affairs.

By Mr. PUJO: Petition of Local No. 79, International Brotherhood of Bricklayers, of New Orleans, La., for construction of one battleship in a Government navy yard; to the Committee on Naval Affairs.

By Mr. SABATH: Memorial of the Los Angeles (Cal.) Chamber of Commerce, relative to Panama Canal tolls; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Philadelphia Board of Trade, protesting against enactment of House bill 16844; to the Committee on Interstate and Foreign Commerce.

Also, petition of William McKinley Camp, No. 12, Department of Illinois, United States War Veterans, for enactment of House bill 17470; to the Committee on Pensions.

Also, memorial of the Congregational Club of Chicago, for reimbursing the contributors to the ransom of Ellen M. Stone; to the Committee on Claims.

Also, memorial of the Congregational Club of Chicago, for reimbursing the contributors to the Ellen M. Stone ransom; to the Committee on Claims.

By Mr. J. M. C. SMITH: Papers to accompany bill for the relief of Henry R. Miller; to the Committee on Invalid Pensions.

Also, memorial of Henry B. Joy, of Detroit, Mich., protesting against enactment of House bill 18788, relating to motor boats; to the Committee on the Merchant Marine and Fisheries.

Also, petition of citizens of Portage, Mich., for enactment of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. SAMUEL W. SMITH: Petitions of citizens of Ohio and the Woman's Christian Temperance Union of Williamston, Mich., for passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of citizens of Howell, Mich., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Hayne, Mich., for regulation of express rates and classifications; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Board of Commerce of Flint, Mich., relative to the coal-mining situation; to the Committee on Labor.

By Mr. SHARP: Petition of the Hub Board of Trade, of Columbus, Ohio, for 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of the fourteenth congressional district of Ohio, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. STEPHENS of California: Memorial of the Chamber of Commerce of Los Angeles, Cal., relative to Panama Canal tolls; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the California Civic League, for creation of a Federal commission on industrial relations; to the Committee on Labor.

By Mr. SPARKMAN. Petition of M. B. Jones and divers other citizens of Plant City, Fla., favoring the building of one battleship a year in a United States navy yard; to the Committee on Naval Affairs.

Also, petition of the Newsome Hardware Co. and others, of Fort Meade, Fla., favoring giving further power to Interstate Commerce Commission to regulate express rates; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Newsome Hardware Co. and others, of Fort Meade, Fla., and W. M. Simmons and others, of Wauchula, Fla., opposing parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. SULZER: Petition of Allen R. Foote, of Columbus, Ohio, for amendment to the corporation-tax law; to the Committee on Ways and Means.

Also, memorial of Atlantic Coast Seamen's Union, for legislation to promote the efficiency of the Public Health and Marine-Hospital Service; to the Committee on Interstate and Foreign Commerce.

Also, petition of American Veterans of Foreign Service, for enactment of House bill 17470; to the Committee on Pensions.

Also, petition of Cigar Makers' Joint Unions of Greater New York, for enactment of House bill 17253; to the Committee on Ways and Means.

By Mr. TOWNER: Petition of citizens of Creston, Union County, Iowa, favoring the passage of the Kenyon-Sheppard interstate liquor shipment bill; to the Committee on the Judiciary.

By Mr. YOUNG of Texas: Petition of Lark M. Ward and other citizens of Van Zandt, Tex., for parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of W. W. Perdue and other citizens of Upshur County, Tex., in favor of old-age pensions; to the Committee on Pensions.

SENATE.

FRIDAY, March 29, 1912.

(Continuation of legislative day of Thursday, March 28, 1912.)

The Senate met, after the expiration of the recess, at 1 o'clock and 45 minutes p. m.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 18849. An act for the relief of the Winnebago Indians of Nebraska and Wisconsin;

H. R. 19212. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1913; and

H. R. 20842. An act to provide for a tax upon white phosphorus matches and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolutions, and they were thereupon signed by the Vice President:

S. 3686. An act authorizing the Secretary of the Interior to permit the Missouri, Kansas & Texas Coal Co. and the Eastern Coal & Mining Co. to exchange certain lands embraced within their existing coal leases in the Choctaw and Chickasaw Nations for other lands within said nations;

H. J. Res. 232. Joint resolution extending the operations of the act for the control and regulation of the waters of Niagara River and for the preservation of Niagara Falls, and for other purposes; and

H. J. Res. 263. Joint resolution to authorize allotments to Indians of the Fort Berthold Indian Reservation, N. Dak., of lands valuable for coal.

SERVICE PENSIONS.

The VICE PRESIDENT. The Secretary will announce the pending business, House bill No. 1.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1) granting service pensions to certain defined veterans of the Civil War and the War with Mexico.

The VICE PRESIDENT. The pending question is on agreeing to the amendment of the Senator from New Hampshire [Mr. GALLINGER] to the amendment of the committee.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Utah suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cullom	Lodge	Richardson
Borah	Cummins	Lorimer	Root
Bourne	Curtis	McCumber	Shively
Brandeggee	Dillingham	Martine, N. J.	Simmons
Briggs	du Pont	Myers	Smith, Ga.
Bristow	Fletcher	Nixon	Smith, S. C.
Brown	Gamble	O'Gorman	Smoot
Bryan	Gardner	Oliver	Stephenson
Burnham	Gronna	Overman	Sutherland
Burton	Heyburn	Page	Thornton
Chamberlain	Johnson, Me.	Penrose	Townsend
Chilton	Johnson, Ala.	Percy	Warren
Clapp	Jones	Perkins	Watson
Clark, Wyo.	Kenyon	Poindexter	Wetmore
Crane	Kern	Pomerene	Williams
Crawford	Lea	Rayner	Works

Mr. BURNHAM. The senior Senator from New Hampshire [Mr. GALLINGER] is unavoidably absent.

Mr. LEA. The senior Senator from Tennessee [Mr. TAYLOR] is detained from the Chamber by serious illness.

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. A quorum of the Senate is present.

Mr. SHIVELY. Mr. President, there have been various positions assumed in the Senate on the question of general pension legislation. One is that there should be no further supplement to the general pension laws. Another is in favor of a measure that confessedly temporizes with the situation and leaves the question open to further agitation and subsequent action. Another is that in favor of a measure that meets the reasonable expectations of the surviving veterans, removes in great part the pressure for special legislation, and places the subject of general expenditure for pensions on account of the Civil War in process of final settlement. The second position is illustrated by the Smoot substitute for the Sherwood bill, and the last named is exhibited by the Sherwood bill, as it passed the House and is supported by a minority of the Committee on Pensions of the Senate.

At the outset of this debate we are confronted with comparative statistics of the cost of pensions as between European countries and our own. These do not impress me. The theory of our Government and the spirit of our institutions attach different consequences to war in the matter of pensions than do those of the Old World. Whatever progress has been made, the theory still lingers in the average European Government that the people were made for the government rather than the government being made for the people. The rank and file of soldiers in the majority of European countries are still regarded as the raw material of kingly glory and dynastic power. Recognition still goes to hereditary rank or other favorites of power rather than to individual merit. The present Lord Nelson, of England, now over 90 years of age, draws an annual pension of \$25,000 on account of services rendered by his grandmother's brother at the battle of Copenhagen, and enjoys, besides, an estate granted to his ancestor under George III, which was at that time valued at \$450,000.

The men who baptized this Republic into the family of nations withdrew sovereignty from kings and nobles and reposed it in the people. The old relations of men to government were here changed. The individual citizen became the unit of political and civil power. With the rights of citizenship came the duties and obligations of citizenship. These duties and obligations extend equally to all on the theory that all are equal under the law and have equal stake in government. When, in response to these obligations, the citizen in time of stress and storm bares his breast to danger under the standard of the law, the obligations of his fellow citizens are not canceled by his sacrifices. Here either none or all are kings and nobles, and no true principle of patriotism requires the soldier to be content with merely harvesting the hardships of war, however long he may postpone his rightful claim on the gratitude of his country.

Moreover, even in Europe the entire story of pensions is not disclosed by the European pension lists. The Lord Nelson pension is a charge on the civil list. In Germany, where the Government owns and operates the railroads, will be found veteran soldiers in numerous positions the duties of which are merely nominal; widows of deceased soldiers will be seen along the line near their little gardens, and incidentally rendering some service. The names of these soldiers and soldiers' widows are borne on the civil roll of the Government, and the allowances to them do not appear in the expenditures for pensions. In many other European countries more or less substantial allowances are made in recognition of military service, the accounts of which are submerged in the records of disbursements in the civil service.

Those who dwell on the magnitude of present and proposed pension expenditure on account of the Civil War should not forget that it was an enormous war and entailed correspondingly enormous consequences. The length of time it lasted, the area of territory over which it extended, the number of troops engaged, and the loss of life and treasure attending it are familiar history which there is here no occasion to repeat. But there were certain features of that struggle so exceptional in character and which so well illustrate the mettle and spirit of the American soldier from whatever section of the country he comes that, however familiar, I venture to recall. In the long series of great battles contested, the casualties attending certain regiments engaged, and the incomparable valor exhibited on both sides, that war has no parallel in history since the invention of gunpowder. Neither side had the easy and inglorious task of confronting weaklings or cowards.

Alfred Tennyson emblazoned in his well-known heroic verse and sent around the world the story of the glory of the Light Brigade in its charge at Balaklava, in which it lost in killed and wounded 36.7 per cent of the officers and men engaged in the charge. At Gettysburg the First Minnesota Regiment lost